

*Dr. Darrach General & Medical  
Dr. Wiltbank D. & B. 2nd St. Phila.*

A

REFUTATION

OF THE

MISSTATEMENTS

CONTAINED IN

A PAMPHLET

RECENTLY ISSUED BY

W. DARRACH, M.D., AND JOHN WILTBANK, M.D.

IN REFERENCE TO THE

MEDICAL DEPARTMENT OF PENNSYLVANIA COLLEGE.

*Collected - D & B. 2nd St. Phila.*

PHILADELPHIA:

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1855.

*Boyle & S.*

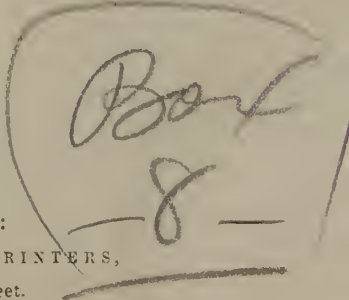


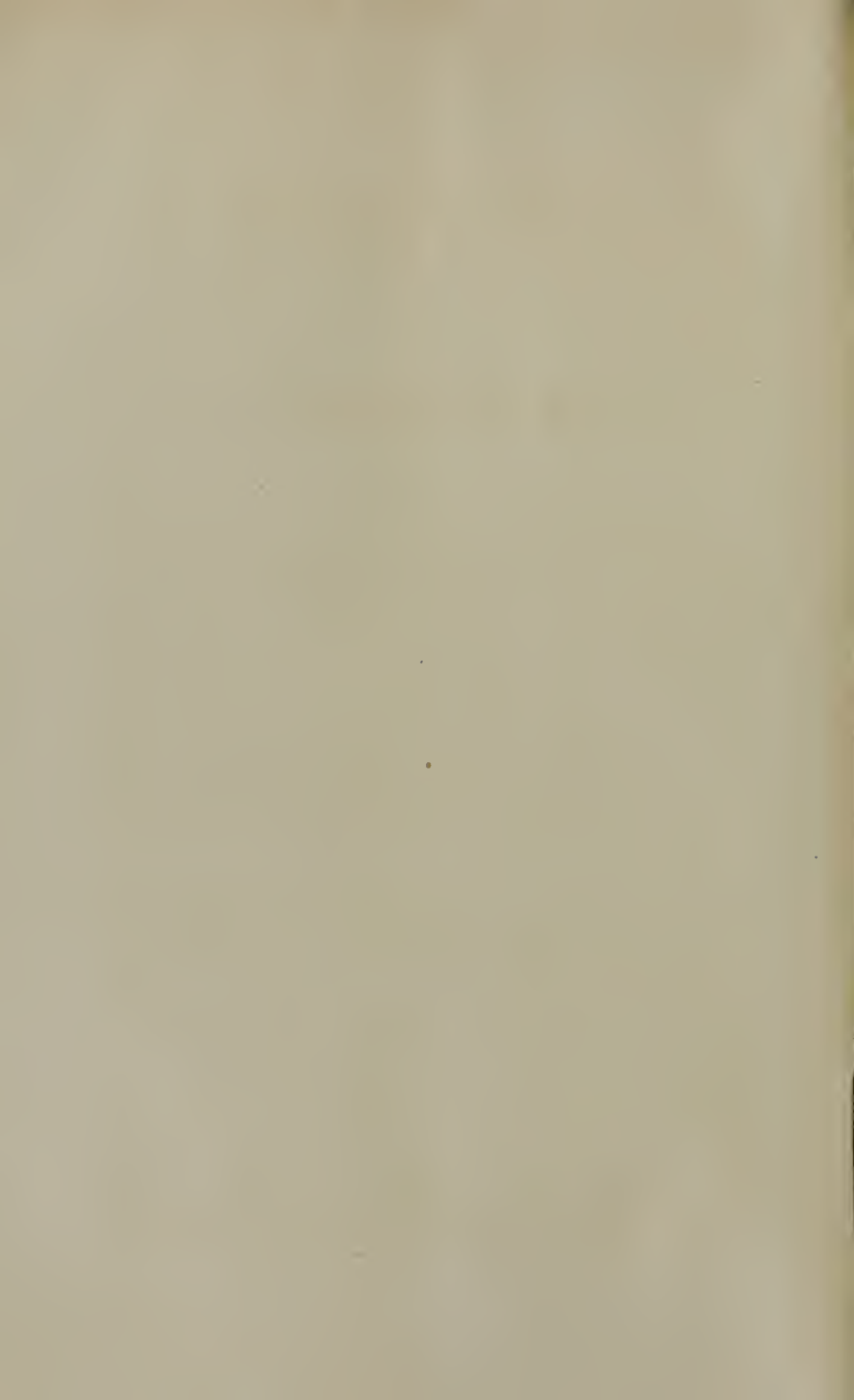
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## REFUTATION.

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A pamphlet has recently been issued by Drs. Darrach and Wiltbank in reference to the Medical Department of Pennsylvania College. Probably, most persons whose interest in the affairs of the Institution may have led them to look at this issue, will have readily detected its numerous misstatements and glaring perversions of the truth. It is perhaps, however, due to the friends of the College, that a correct version of the history of its late re-organization be placed upon record. From this it will readily be seen, that the coloring, which has been given to the difficulties in question by the gentlemen named, not only is at variance with the documentary evidence adduced, but that they have in many instances garbled letters, and suppressed and altered dates, which, if correctly given, would totally reverse the aspect of the controversy as presented by them.

The Medical Department of Pennsylvania College was established in 1839, by the Trustees of Pennsylvania College of Gettysburg, who appointed Drs. S. G. MORTON, G. McCLELLAN, S. COLHOUN, W. RUSH, and S. McCLELLAN, as the Faculty, with power to fill vacancies and make additional appointments. Acting under this authority, the Faculty shortly after elected WALTER R. JOHNSON, Esq., to the Chair of Chemistry; and, as thus organized, the Medical Department continued, until September, 1843, with the single exception of the appointment, in April, 1841, of Dr. R. M. BIRD to the chair of Materia Medica, in the place of Dr. S. Colhoun, deceased. In March, 1840, the Legislature passed an Act to authorize the Faculty of Pennsylvania College to confer the Degree of Doctor of Medicine, in Philadelphia. This act was procured with the full acquiescence of the Parent Institution, and the Faculty immediately adopted a resolution directing the Dean "to

inform the Secretary of the Board of Trustees at Gettysburg, that their relations, in the opinion of the Faculty, continued the same."

In September, 1843, the Faculty of the Medical Department was dissolved by the resignation of all its members. *These resignations were made to the Board of Trustees of the Parent Institution*, who, at their meeting in September, 1843, passed a resolution authorizing the members of the late Faculty, or a majority of them, to appoint from their own number, or elsewhere, a new Faculty. It was found that insuperable difficulties prevented any re-organization of a Faculty, which would include members of the old Faculty. After the lapse of a month, Drs. W. Darrach and H. S. Patterson proceeded to Gettysburg, the bearers of a letter of introduction from Dr. S. G. Morton, to solicit for themselves and Drs. W. R. Grant and J. Wiltbank, appointments, as a new Faculty of the Medical Department of Pennsylvania College. It appeared, however, that no meeting of the Board of Trustees could be convened to make appointments in time for the delivery of lectures that winter; and, therefore, at the suggestion of the Secretary of the Board of Trustees, the members of the old Faculty, acting, as expressly stated by Dr. Morton, "in accordance with the power vested by the Trustees of Pennsylvania College in the late Professors of the Medical Department thereof," "relinquished the right to and use of the charter of said Institution, in favor of a new Faculty, to be composed of Wm. Darrach, Henry S. Patterson, William R. Grant, and John Wiltbank, and their colleagues." These appointments were confirmed by the Board of Trustees, at their meeting in April, 1844, upon the terms that half the matriculation fees received by the Medical Faculty should be paid into the Treasury of the Parent Institution. The Medical Department, under this organization, and with the additions and changes which followed, repeatedly and in every way acknowledged its connection with the Parent Institution as a *subordinate department*; nor was it ever called in question, until it suited the purposes of Drs. Darrach and Wiltbank, in April, 1854, to repudiate it, with a view to the ejection of their colleagues from the Faculty.

It will be seen, by reference to the letter\* addressed by Dr. Darrach to the Secretary of the Board of Trustees, shortly after his appointment, that he speaks of his own and his colleagues' "*application to the Board of Trustees, to be constituted the Faculty of their Medical Department at Philadelphia*," and of their election, "subject to confirmation and settlement of terms by the Board of Trustees at their coming spring

\* See Statement published by the Faculty, p. 21.

meeting." In a report\* to the Board of Trustees at Gettysburg, April, 1844, Dr. Darrach, as Dean of the Medical Department, encloses, on behalf of the Faculty, "*in accordance with the understood terms of connection between the Medical Department and those from whom they derive their authority, for the benefit of the Parent Institution, thirty dollars, as half matriculation fees of last session.*" In the Announcement, issued for the session 1844-5, (Dr. Darrach being President of the Faculty,) the Faculty aver that "the present incumbents derive their authority from an appointment by a majority of the late Faculty, *under a resolution of the Board of Trustees, confiding to them that power, followed by the sanction and confirmation of the Board at a subsequent meeting.*" In his Charge to the graduating class, for 1851, Dr. Darrach invokes "the name of the Parent Institution, whose President has conferred upon you [the Class] the degree of Doctor of Medicine," &c., &c. In short, the subjection of the Medical Department to the Institution which created it, was in every way acknowledged and acted upon by the Faculty, of which Drs. Darrach and Wiltbank were members; until these gentlemen, to accomplish an act of hostility against their colleagues, discarded, in the most offensive manner, the authority to which they had so often professed their obligation, and came into Court, and, UNDER OATH, did "submit and insist that no part of the power, existence, or authority (of the Medical Department of Pennsylvania College) is in any manner derived from the 'Trustees of Pennsylvania College, in the county of Adams.'" Certainly, so glaring a violation of candor and consistency can scarcely be extenuated unless by an appeal to the expediency-morality which permits the end to sanction the means.

The constitution of the Faculty, as re-organized on the dissolution of the first combination, was completed in 1844, by the appointment of Drs. D. GILBERT and W. L. ATLEE to the chairs of Surgery and Chemistry. In 1852, the resignation of Dr. Atlee, the death of Dr. Grant, and the creation of a new chair (that of Institutes), led to the introduction of Drs. J. J. REESE, J. M. ALLEN, and F. G. SMITH into the Faculty. In September, 1853, the inability of Dr. H. S. PATTERSON, from declining health, to discharge the duties of his chair, occasioned his transfer to an Emeritus Professorship, and Dr. J. B. BIDDLE was appointed Professor of Materia Medica and Therapeutics.

The members of the Faculty thus successively appointed may most unhesitatingly say that, while they entered the Institution with perfect loyalty of feeling to the colleagues whom they found there, and with the

\* Statement, p. 20.



hope and desire that their united efforts might elevate it to a high rank, they were in every instance introduced into the School without their own solicitation, direct or indirect; indeed, generally, after repeated refusals of urgent invitations. In joining the Faculty, they sacrificed engagements much more lucrative; and to assume that they were fettered in their relations to the School by a debt of gratitude to any one for coveted positions is the very reverse of truth.

That the events which led to the removal of two of the Faculty were the result of a cabal or scheme on the part of their colleagues, the latter most solemnly and unequivocally deny. A candid perusal of the undeniable facts herewith submitted, will make it apparent at whose door the charges of cabal and conspiracy are really to be placed.

The declining numbers of the class for the session of 1853-4, in the face of a large increase in the classes of Jefferson College and the University, could not fail to be received as indications that there were causes at work, interfering with the advancement of the School. During the progress of the winter, a feeling of dissatisfaction, on the part of a large portion of the class, with the lectures of the Professors of Practice and Obstetrics became so manifest as finally to force itself upon the attention of the other members of the Faculty. Upon an interchange of opinion, towards the close of the session, it was proposed to invite a conference on the subject of the position and prospects of the School, between the different members of the Faculty; and, with this object, Drs. Gilbert and Reese waited respectively on Drs. Darraeh and Wiltbank, representing to them their views and feelings as to the causes of the decline of the School, and inviting from these gentlemen suggestions on the subject if they had any to advance. These approaches, made in the most delicate and fraternal spirit, were, unfortunately, not received in a corresponding temper; and it soon became manifest that communications and conferences designed to be confidential had been brought before the Class, the Trustees of the college building, and the public generally; and that while an attempt was making everywhere to excite an undeserved sympathy upon false impressions for Drs. Darraeh and Wiltbank, a conspiracy was organized to expel the majority of the Faculty from their seats, and to obtain exclusive possession of the college building for the minority, from the Trustees of the building. This object, not long afterwards actually carried out, became soon a topic of daily conversation at the college. The janitor (in the interest of the minority) publicly boasted that the new members of the Faculty were to be removed, and that at the close of the session he should lock them out of the building and hand the key



over to their opponents. He soon afterwards openly commenced a protracted course of defiance and insubordination to the Faculty (in which he persisted till arrested by the arm of the law)—instigated, as there is every reason to believe, by Drs. Darrach and Wiltbank. These gentlemen also canvassed individually members of the Class on the subject of the Faculty differences. The response of the Class was expressed in a communication addressed to the Faculty, announcing the dissatisfaction of a large majority of the attending students with the lectures of the Professors of Practice and Obstetrics.

It is with reluctance that the Faculty are drawn to allude to the action of the Medical Class. But the many misstatements which have been circulated by Dr. Darrach, in the systematic correspondence which he has addressed to the former graduates of the School, and in his recent pamphlet, as well as his underhand attempts to procure the passage of a bill by the Legislature, manifestly with the view to the expulsion of the present Faculty, make it necessary that the truth be stated. The Faculty need perhaps hardly say that the insinuation of Dr. Darrach, that the action of the students was originated or fomented by members of the Faculty is entirely unfounded. They may most unreservedly assert that they never directly or indirectly attempted to create in the mind of a single student an impression to the prejudice of Drs. Darrach or Wiltbank, and that they had as little to do with procuring the written expression of the feelings of the Class as these gentlemen themselves. The accusation is palpably an unworthy recrimination, the weak and obvious resource of wounded egotism. And if the lectures of these gentlemen were attractive, and themselves popular (as they so confidently assume) what conceivable motive could prompt their colleagues to desire their withdrawal from the school; or is it likely that an intrigue to bring them into disfavor with the Class could have proved successful?

The Faculty have no desire to sit in judgment upon their former colleagues; and they have long forborne to reply to the many slanders of which they have been the objects. But now thus publicly forced to their defence, they must give expression to the settled opinion which they entertain, that the movement against the former incumbents originated in a well grounded feeling of dissatisfaction with their teachings. This pervaded the Class with unparalleled unanimity—the list of protestants against their lectures actually including two of Dr. Darrach's own office students. This gentleman may indeed appeal to the Alumni of the School, and extract from the sympathies of distant graduates (to whom he has represented himself as a persecuted man), testimonials of

his capability years ago. But the point really at issue is his usefulness the last session that he lectured. And, it must surely be admitted, that with the evidences of dissatisfaction on the part of the Class which were before Drs. Darrach and Wiltbank, it would have been more dignified and high-minded in these gentlemen voluntarily to retire than to adopt the line of recrimination and controversy, to which they have so perseveringly adhered.

The subjoined communication was presented to the Faculty at a stated meeting, March 2d, 1854. It was read by the Registrar, who was ignorant of its contents, and immediately without comment laid upon the table. That it was not in any way instigated or prompted by the five members of the Faculty, now assailed by Dr. Darrach, the profession and community among whom they live will believe, upon their unequivocal and solemn denial.. They may most truly say, that the evidences of the dissatisfaction of the Class with Drs. Darrach and Wiltbank, were *forced* upon them, to their great regret, and that they discountenanced, so far as they could, any demonstration of the Class against them. In the statement, published by the Faculty last spring, they forebore to use the paper in question, from delicacy to those who had been their colleagues; and they now bring it forth only to show of how much misrepresentation it has been the subject.

PHILADELPHIA, Feb. 10th, 1854.

The undersigned, a portion of the students of the Medical Department of Pennsylvania College, being disappointed at the present state of affairs in this Institution, deem it but just to ourselves to express to you that disappointment and the reasons thereof. And in doing this, we are not moved by any personal feelings, but by a sincere desire for the prosperity of the Institution with which we are connected.

We feel that we owe it to ourselves to take a deep interest in the Medical College at which we receive our professional education, upon whose credentials we expect to practice our art, and with which our names must always be identified.

We wish that Institution to be one of which we may justly be proud. We wish it to take an equal rank in the number of its Alumni, as well as in general respectability, with the very best medical schools of our country. It was with such hopes that we recorded our names among its matriculants. But we have been sadly disappointed. Instead of rising, as we had expected, the size of the class has actually diminished; and the prospects of future increase under the present regime are still darker.

We are compelled to say that we think the causes of the present decline of our Institution rest with the chairs of Obstetrics and Practice. Many who have left us for other Schools do not hesitate to assign this as a ground for so doing; and more, we have reason to fear, will at the next session follow their example.

The character of the instructions in the aforementioned branches has not to us been satisfactory. Instead of clear and lucid expositions of the principles of medicine, we have received only what tended to confuse and perplex us. Instead of interesting lectures, we have received such as made the subjects themselves unattractive.

In taking the ground we do, we are not influenced by any personal ill feeling towards the incumbents of the chairs before mentioned. As men we respect them highly, both for their age, their position in society, and their uniform courtesy towards ourselves. We admit them to be accomplished gentlemen and skilful practitioners; but we sincerely regret that we cannot regard them as successful teachers of Medicine.

The undersigned are therefore forced to the conclusion that the interests of the Class and of the Institution require some change in the aforesaid chairs; and we do most respectfully, yet most earnestly, request the Faculty to communicate these our views to the gentlemen in question, and to take such action thereupon as their wisdom may direct.

J. C. Hinsey, M.D.  
H. Knorr,  
J. W. Fulmer,  
Chas. H. Hall,  
E. B. Heekel,  
J. Y. Shindel,  
Chas. A. Heekel,  
Henry C. Billups,  
J. M. Laughlin,  
William Lyons,  
A. M. Capwell,  
P. M. Schweinhart,  
Chester E. Albright,  
E. J. Bowman,  
O. A. Hall,  
Alfred Jones,  
David E. Moorehouse,  
M. O. Allen,  
Eugene Sehumo,  
A. C. Deakyne,  
J. G. Bertolet,  
William Hay,  
Jas. H. North,

Frederick R. Paddock,  
Henry J. Priestly,  
Charles H. Barker,  
Wm. S. Janney,  
F. B. Gaudet,  
H. M. Freas,  
Samuel Wagonseller,  
W. B. Bair,  
Keisy S. Marlin,  
N. Q. Hunston,  
M. M. Royer,  
E. S. Durgin,  
W. H. Letterman,  
John C. Lyons,  
Samuel Adams,  
John Wells,  
Samuel McDannald,  
W. R. Ramsey,  
R. G. Sennar,  
W. G. Thomas,  
R. Jennings,  
Jas. McFadden,  
Swithin Chandler.

*Affidavit of Messrs. Hall and Gaudet.*

Whereas, a certain petition, signed by forty-six members of the Class in attendance upon lectures in the Medical Department of Pennsylvania College during the Session of 1853-'54, asking for the vacation of certain chairs in the Faculty of said Medical Department, was presented to the Faculty in full session on the evening of March 2d, 1854;

and whereas, the authorship of that paper has been assigned to persons having no connection with it in any way or shape,

This is to certify, that the undersigned claim the sole and entire origination and preparation of said paper, and that they were not influenced or advised therein by any person or persons holding official positions in the above-mentioned Medical Department of Pennsylvania College.

F. B. GAUDET,  
CHAS. H. HALL.

Sworn and subscribed before me this 25th day of April, A.D. 1854.  
JOHN B. KENNEY, *Alderman.*

*Letter from Dr. Jaquett.*

*Tuesday, April 17th, 1854.*

DEAR SIR :—Having been called upon to-day by Messrs. Hall and Gaudet for the purpose of getting from me a written statement setting forth the history, as far as to me known, of a certain paper to which a number of the class affixed their names, and which was handed in to the Faculty on the Thursday evening preceeding the commencement, March 4th, 1854; having been called upon for such a statement, and having also been requested to state therein whether or not, (as far as my knowledge went,) said document originated with any member or members of the Faculty of Pennsylvania College, I at the request of Messrs. Hall and Gaudet write the following:

Although not one of the originators, nor even a signer, nor in any way an agitator of said paper, it has nevertheless happened to me to know the whole history of the movement, from the first mention of the affair down to the time of the handing in of the paper to the Faculty. Upon one occasion, probably six weeks or two months previous to the close of the lectures, several students, to wit, Messrs. Hall, Gaudet, Billups and myself, were sitting together in one of the apartments of the college, when one of the party proposed that a meeting of the students should be called and the sentiments of the class called forth; this was the first mention of the affair. The next phase of the affair was the proposal to draw up the before mentioned paper, obtain signatures to it, and hand the same to the Faculty; this was done. I can with candor and truth affirm, that (so far from this paper having originated with or emanated from any member or members of the Faculty), they knew nothing of it until the matter had progressed and had become a topic of general discussion among the students, and thus came to their knowledge. And so far as my knowledge goes, so far from having been encouraged by the Faculty, I feel convinced that efforts were made to put a stop to it. When the paper was about being started, one of the originators conceived the idea of mentioning the affair to the Faculty, but he immediately abandoned the idea, and it was not carried out, and in consequence the Faculty remained in ignorance on the subject, until the affair had progressed too far to be put a stop to.

F. S. JAQUETT, M. D.

TO DR. W. DARRACH.

*Dr. J. C. Lyons' Affidavit.*

Dr. J. C. Lyons being duly sworn, declares that he attended the Lectures of the Medical Department of Pennsylvania College, regularly during the session of 1853-54, and also the preceding session. Also, that he was an office pupil of Dr. Darrach's.

He further says that in February, 1854, he signed a paper with other students, in favor of having the chairs of Practice and Obstetrics vacated; he signed said paper because he was satisfied of the unpopularity of said Professors. He believed their withdrawal would promote the interests of the school. He further says, that he was and is entirely ignorant of the origin of said paper, and that so far as he knows no member of the Faculty had any thing directly or indirectly to do with it.

He further deposes, that he was told towards the close of the session by Mr. Wynkoop, the Janitor, that the five members of the Faculty, other than Drs. Darrach and Wiltbank, would be obliged to withdraw, and that at the end of the session, Drs. Darrach and Wiltbank, with the Trustees of the College building, would lock the doors upon them.

He further deposes that Drs. Darrach and Wiltbank visited him separately at his residence in Kensington, and flattered him to give testimony and certificates or a written statement in their favor in these difficulties. He further says, that at the time of his examination for his degree, Dr. Wiltbank read him questions from a written paper with a view to get opinions from him unfavorable to Dr. Gilbert, and most favorable to Dr. Darrach, and that he found in conversation subsequently with other students that they stated the same course had been pursued towards them.

JOHN C. LYONS, M. D.

Sworn and subscribed to before me, this Eighteenth day of September, A. D. 1855.

JAMES BELL, Alderman.

Every one who has any acquaintance with the constitution of the Class of 1853-54, must at once admit that such an expression of opinion was an unmistakable and unanswerable verdict as regards the popularity of the Professors referred to. Most men would have been satisfied with it, and it is difficult to conceive how a gentleman of thorough self-respect and high tone could continue to cling to a position, in which he could not possibly persuade himself that he was giving general satisfaction. Dr. Darrach, however, takes issue as to the force and motives of the verdict. He charges in his pamphlet that it was obtained by undue influences, and that it is now generally regretted by the members of the Class who signed it. It is, perhaps, hardly necessary for the present Faculty to take any steps to relieve themselves from the accusation made by Dr. Darrach, that, on the examination of candidates for degrees, those who did not side with him were treated with injustice by his colleagues. The littleness of such an accusation should cover the accuser with shame. To refute it beyond cavil, it is sufficient to assert



that *not one of the candidates who did not sign the paper was rejected*; and nobody knows better than Dr. Darraeh the thorough meanness and unworthiness of his insinuation. It may be also mentioned, upon this point, that of the students who recorded their unfavorable opinion of the courses on Praetice and Obstetries, nearly one half were of the first course, who could not possibly be influenced by fears of injustice in their examinations.

Dr. Darrach publishes the recantations of *five* of the gentlemen who expressed themselves against him. When it is known that for the last year he has been engaged in writing the most earnest and abject appeals to the Alumni of the School, attempting to operate in every way upon their sympathies, and reiterating the most unfounded charges against his colleagues, he is welcome to the benefit of the few certificates which he parades. And if *all* the answers to Dr. Darraeh's letters to the Alumni could see the light, it would be found that the present Faculty were overwhelmingly sustained, even upon the private showing of their unscrupulous adversary. Out of a large number of letters received from Alumni of the school, since this appeal to them by Dr. Darraeh, abundant evidence will be found in those published in the Appendix, of the kind feelings of the great body towards the present Faculty. And even of those, who upon a one-sided representation were led hastily to commit themselves to Dr. Darraeh, very many have since both personally and by letter expressed to the present Faculty their change of feeling and opinion.

In connection with this subject, the following letters, selected from several sent by Dr. Darraeh to Alumni of the School, and indignantly forwarded by those gentlemen to the parties secretly defamed, may serve to illustrate the manner in which the Alumni were approached by Dr. Darrach, and the style, taste and truthfulness of his writing.

*Philadelphia, Nov. 14th, 1854.*

MY DEAR DOCTOR:—I write to obtain your co-operation with your fellow Alumni of Pennsylvania Medical College to issue a Quo Warranto without expense or trouble to you to recover the chair of Practice to me, and that of Obstetries to Prof. Wiltbank: to pay a tribute to the memory of our beloved and much lamented Prof. Henry S. Patterson; and restore the good policy and honor of your Alma Mater. Since the death of Professors Grant and Patterson and (owing to the incompatibility of Chemistry to Surgical praetice,) the resignation of Prof. Atlee, a subverting and ousting for money making has been adopted by Dr. Gilbert with the new members of faculty, and Dr. Wiltbank and myself for the present have been ousted. This

outrage has excited the disgust and indignation of the community, profession, sister Schools, the Trustees of our new College building, and most warmly of the Alumni throughout the country, and our council, in order to retain Dr. Wiltbank and myself as important testimony in the Quo Warranto, finds it necessary to have it issued in the name of the Alumni. And for the moral force to have all the Alumni. The effort then is to obtain all of you. Already sixty-six have sent in their names and daily others are coming. The Janitor, Mr. Wynkoop has a successful suit of conspiracy against them, the trustees have doubled the rent upon them, and the School is now in disgrace, and reduced to a fraction of a class and must sink in their hands. To save your Alma Mater efficient plans are in operation, of these is the filling the chair of Surgery by Dr. Atlee, that of Anatomy by Dr. Babb, and Dr. Wiltbank and myself resume our chairs. (Confidentially, the outrage has been by a *Down Easter*; Gilbert for trade. Sad! But true.) Help your Alma Mater by your name without expense or trouble by enclosing to me, No. 268 Arch street, Philadelphia, a note to Dr. T. Bond, a fellow Alumni, authorizing him to add your name to the said Quo Warranto. Be assured that it will be without expense to you.

Another request: your fellow Alumni are also co operating to pay a tribute to the lamented Patterson. The object in view is a full length portrait of him by a distinguished Artist, with the autographs of the Alumni as donors and members of his class on *Materia Medica* en-framed below, and then place that over the entrance door of that Lecture room which echos his eloquence—the Quo Warranto opens this door. That each may contribute, the donation is limited to \$1. Please then enclose also to me a gold dollar for this worthy and heartfelt object, and much oblige your old friend and well wisher, and obedient servant,

W. DARRACH.

*Philadelphia, Jan. 8, 1855.*

MY DEAR DOCTOR:—I write to obtain your co-operation with your fellow Alumni to issue a Quo Warranto to recover our chairs in Pennsylvania Medical College, and thereby to restore the good policy, prosperity and honor of your Alma Mater.

Since the death of Dr. Grant, and the resignation of Dr. Atlee, (because Dr. Gilbert did not keep his promise to him to take the vacant chair of Anatomy, and leave that of Surgery for him,) new members of the Faculty have come in, and by Dr. Gilbert's agency have forced the resignation of Dr. Patterson, on the ground of ill health, and have since ousted Dr. Wiltbank and myself. The outrage has disgusted and excited the indignation of the trustees of the building, and of the alumni. Already ninety-three of the alumni have sent in their names, and daily more. Please, then, favor us by enclosing to me, No. 268 Arch street, a note to Dr. Bond, a fellow alumnus, authorizing him to add your name. It will be without expense to you, and be assured that it will afford you the satisfaction of co-operating with the body of



the alumni in a successful effort to restore the good old ways and feelings of your Alma Mater.

Another request: your fellow alumni are also successfully co-operating to pay a tribute to the memory of our late and beloved and much lamented Prof. Henry S. Patterson!

The object in view is a full length portrait of him, by a distinguished artist, with, enframed below it, the autographs of the alumni, as donors and as members of his class of *Materia Medica*.

As it will be from all, the donation of each is limited to \$1. Please then, favor us by enclosing, with your autograph and post-office address, the above sum—a gold dollar—for this worthy and heartfelt object, and much oblige your old friend and obedient servant,

W. DARRACH.

From the mass of misstatements contained in these letters, two may be cited to settle the value of the personal asseverations of Dr. Darrach. He writes deliberately that “the Janitor, Mr. Wynkoop, has a successful suit of conspiracy against them,” (his late colleagues). The following copy of the Record of the Award of the arbitrators in the case of Wynkoop vs. Reese et al. shows that the discreditable suit of conspiracy of Wynkoop was *unsuccessful*; and no other suit of any kind brought by him or any other persons in this controversy against the parties named has been successful, nor is there any other such suit at all now pending. Dr. Darrach is content to remain under this charge of false testimony, for his letter has already been published in the Statement of his opponents, to which his late pamphlet professes to reply. He cannot explain and will not retract.

*Wynkoop vs. Reese et al.*

EXTRACT FROM MINUTES AND AWARD OF ARBITRATORS.

May 24th, 1854, at 4 o'clock, P.M.—The parties with their Counsel and arbitrators met, and arbitrators being duly sworn, adjourned to meet at same place. \* \* \* \* \*

And now January 22d, A.D. 1855, after hearing the allegations and proofs of the Counsel we find for Defendants.

(Signed,)

JOHN THOMPSON,  
THOMAS WEBSTER,  
FRANCIS COOPER.

Again, he speaks of “the resignation of Dr. Atlee, (because Dr. Gilbert did not keep his promise to him to take the vacant chair of Anatomy, and leave that of Surgery for him.)” But Dr. Atlee’s resignation, addressed to Dr. Grant by name along with the other members of the Faculty, bears the date of December 23d, 1851, while Dr. Grant’s death took place on the 28th of March, 1852, *more than three months after*. It is proper, in relation to this subject, to say here, that Dr. Gilbert admits that he originally preferred Anatomy to Surgery, and

hence it is possible that he may have said that, in the event of a vacancy prior to the commencement of the session (1844-5) he would take the chair of Anatomy. If Dr. Atlee indulged, *for a series of years*, in aspirations contingent upon the death of his friend and colleague, Dr. Grant, he had not the slightest encouragement in them from Dr. Gilbert. The latter is in possession of a correspondence from Dr. Atlee, on the subject of his acceptance of a chair in the Pennsylvania Medical College, in which not the most distant allusion is made to any such arrangement; and Dr. Gilbert will be happy to meet Drs. Darrach, Wiltbank and Atlee, before any tribunal, professional or other, they may propose, with a view to settle this point.

What warrant Dr. Darrach has for charging Dr. Gilbert with "bad faith and deceptions," in that he "induced Dr. Atlee to enter the School, *in a department uncongenial to his tastes*, under pledges of an ultimate transfer to the chair of Surgery," may be inferred from the following brief extracts from Dr. Atlee's letters to Dr. Gilbert. In one letter he speaks of Chemistry as a favorite branch, next to this Obstetrics, and next Surgery. Again, he states, "I have a written course of lectures [on Chemistry] equal to any in the country." His acceptance was announced to the Faculty in person, immediately after the exercises of the Commencement, which was held on March 4, 1844, in the lower lecture room of the College in Filbert street. In reference to this, he writes, "No sooner had I accepted than I must consent to lecture, and, casting a glance at the (chemical) apparatus I gave them the subject, which was announced a few moments after, and thus I got at once into a scrape, out of which I got the best way I could, whether to the satisfaction of the audience or not I cannot tell." And that the workings of his mind, in his final acceptance of the chair offered him, must have been wholly irrespective of any ulterior speculations on the death of Dr. Grant, is tolerably evident from another extract: "Before going to Philadelphia, [he writes,] it occurred to me that I ought to appeal to *fate*, and I immediately tossed up a penny three times, which directed me to accept; there being two heads out of three." Dr. Atlee had previously delivered several successive annual courses of lectures on Chemistry to the Lyceum of the City of Lancaster.

From these personal issues, so damaging to Dr. Darrach, and which his late colleagues would have preferred to spare him, attention is now asked to the occurrences which led directly to the reorganization of the Medical Department of the College—occurrences for which Dr. Darrach and some of his friends are alone responsible, and which were altogether and entirely their own act.

The relations which existed between the members of the Faculty at the close of the session 1853-54, had become obviously incompatible with future harmonious and efficient action. While the majority felt that they were not responsible for these relations, and while they deeply regretted the public controversy which had been opened, they could not but see that the withdrawal of one or the other party had now become a positive necessity to the salvation of the School. The majority had never contemplated or desired the ejection of their colleagues. They had, indeed, when it became evident that the School was decaying, and that something must be done to save it from ruin, invited an investigation into the causes of the decline. But the gentlemen who proposed such an inquiry to their colleagues, professed at the same time a readiness to withdraw themselves, if it should appear that their courses of instruction were at fault, and only suggested that there should be a general understanding to this effect. They felt, that if it should appear that the School was declining from unpopularity in any quarter, some individual self-sacrifice might not unreasonably be asked to prevent the ruin of all concerned. If such an appeal should not, however, be met in a proper spirit, the majority had decided to withdraw themselves, and they were upon the eve of taking this course, when they were met by violent and offensive measures, which entirely arrested all attempts at conciliation.

With a view to place matters in a definite position, the majority of the Faculty, on the 22d March, addressed a communication to Dr. Darrach, couched in the most courteous and friendly terms, in which his attention was called to the unsuitable relations existing between the different members of the Faculty, and to the settled conviction entertained by the majority, that under its present constitution the success of the School had become hopeless. In the event of his retiring, the majority also offered to relieve Dr. Darrach and his friends of any amount of loan on the building they might wish to dispose of. To this communication, no reply was made. When it became certain that none was to be expected, the majority determined at once to offer to vacate their own chairs, and had prepared a written proposal to Drs. Darrach and Wiltbank, of their willingness to take this course upon the formation by these gentlemen of any satisfactory Faculty. It was resolved that, as a preliminary to this step, a committee of the Faculty should proceed to Gettysburg, to lay the condition of the Medical Department before the Board of Trustees of the Parent Institution, at their semi-annual meeting, now shortly to be held; and immediately thereafter, the offer of compromise would have been submitted, but for the unexpected and aggressive

course which in the meantime Drs. Darrach and Wiltbank were led to pursue.

The following communication, laid before the Board of Trustees of Pennsylvania College, at Gettysburg, at their session, 20th April, 1854, on the part of Drs. Darrach and Wiltbank, requires no comment :

" At a meeting of the Medical Faculty of Pennsylvania College, held at the house of Prof. H. S. Patterson, upon the call of the President, on the 19th April, 1854, present Drs. Darrach, Patterson, and Wiltbank, the following preamble and resolutions were unanimously adopted :—

" *Whereas*, The Legislature of Pennsylvania, by an act approved on the 6th March, 1840, granted to Geo. McClellan, S. G. Morton, Wm. Rush, Samuel McClellan, and Walter R. Johnson, under the name, style, and title of the Medical Department of Pennsylvania College, the power to confer medical degrees in the City of Philadelphia; and, whereas, the 7th section of said act provides: 'that hereafter it shall not be lawful for any college incorporated by the laws of this State to establish any faculty for the purpose of conferring degrees, either in medicine or the arts, in any city or county of the Commonwealth, other than that in which said college is or may be located,' thereby prohibiting such appointment of any member or portion of a faculty; and, whereas, the said George McClellan, &c., in their public announcement (never disputed) claimed that the concerns of the Medical Department of Pennsylvania College are under the exclusive control of the Medical Faculty 'who assume the character of a Board of Trustees;' and, whereas, the said G. McClellan, &c., did, by a properly certified document, dated ———, convey to Drs. Darrach, Patterson, Grant, and Wiltbank all right, title, and interest which they possessed to the said College, its charter, power, and privileges, with authority to fill vacancies, and to appoint their successors; and, whereas, certain persons who have been introduced by said corporators into the faculty have conducted themselves in a manner injurious to the Institution and derogatory to the character of the profession, promoting insubordination and discord, and laying themselves open to a criminal prosecution which is now impending: therefore,

" *Resolved*, I. That the undersigned, being a majority of the corporate faculty of the Medical Department of Pennsylvania College, fall back upon and claim the powers formerly conveyed to them by the original grantors of said powers, among which is the right to vacate a chair, which follows necessarily from the right of appointment, unless otherwise provided.

" *Resolved*, II. That we hereby declare the chairs of Anatomy, Surgery, Chemistry, Materia Medica and Institutes of Medicine in the Faculty of Pennsylvania College vacant, and that Jonathan M. Allen, D. Gilbert, J. J. Reese, F. G. Smith, and J. B. Biddle are not members of said Faculty.

" *Resolved*, III. That we will proceed to the reorganization of said Faculty upon proper principles and in proper hands at our earliest convenience.

"*Resolved*, IV. That we do not recognize the right of any board or body of men to interfere with our appointments, made in accordance with the grant of power above specified.

"W. DARRACH, *President*.

"J. WILTBANK, *Secretary, pro tem.*"

To those who may be desirous to inquire upon what amount of legal authority two gentlemen thus proceeded to expel five of their colleagues, from a Faculty in which all had been hitherto actors upon apparently equal footing, and with conceded parity of rights, an answer is furnished in the lucid Opinion of Judge Thompson, to be found in the Appendix. The majority of the Faculty have only to add in reference to the subject, the expression of their regret, that the name of the lamented Dr. H. S. Patterson\* should have been thus indelicately introduced in connection with it, and that his last moments should have been embittered with an angry controversy, of the real bearing of which he must have been entirely in the dark.

In extenuation of this act of insubordination and aggression, to which alone the removal of Drs. Darrach and Wiltbank is attributable, these gentlemen have now the hardihood to aver that it was drawn from them by the action of the Board of Trustees at Gettysburg, at their semi-annual meeting in April, 1854. It is almost incredible that any persons should have the effrontery publicly to assert in print, under their proper signatures, that they committed an act on the 19th of April, in consequence of the act of other parties on the 20th of April, of the same year. Yet this assertion is actually thus made by Drs. William Darrach and John Wiltbank. The resolutions of the Board of Trustees at Gettysburg, which Drs. D. and W. now assert induced them to expel Drs. Gilbert, Allen, Reese, Smith, and Biddle from the Faculty, were passed by the said Board of Trustees at Gettysburg *on the 20th April, 1854*; and the act of expulsion bears date *19th April, 1854*, at Philadelphia, was forwarded by Drs. Darrach and Wiltbank to Gettysburg, with a view to influence the deliberations of the Board of Trustees, and was read to the Board, before any proceedings took place in reference to the Medical Department. To cover this outrage upon truth, the date of the action of the Trustees at Gettysburg is suppressed in the pamphlet of Drs. Darrach and Wiltbank, and the date of the meeting at which they expelled their colleagues is given as the *29th April, 1854*,† WHEREAS THE MEETING WAS REALLY HELD ON THE 19TH APRIL, 1854!

\*Dr. Patterson died on the 27th April, 1854, of a wasting disease, eight days after the date of the meeting in which he is *said* to have participated.

† See Reply, p. 25.



The inevitable result of the act of insubordination to the Parent Institution, on the part of Drs. Darrach and Wiltbank, was the removal of these gentlemen by the Board of Trustees. This took place on the 6th of June, 1854. It was made absolutely necessary by the position assumed by the removed professors. They had declared vacant the chairs occupied by their five colleagues; they had solemnly resolved that their colleagues were not members of the Faculty, and that they themselves would "proceed to the reorganization of said Faculty upon proper principles and in proper hands at their earliest convenience." Was it possible for the Trustees of the Parent Institution to do otherwise than accept the act of separation thus forced upon them! And is it not monstrous in the gentlemen, who, by a formal public act, cast off their associates, and disavowed the authority under which they had heretofore acted, to complain of "removal from their posts, unheard and with no opportunity for vindication or defence!" They took their ground, they went into the Courts of Justice to maintain it, they instigated third parties to bring suits, and now, defeated every where, convicted of invading rights which belonged to others, of defying lawful authority to which they owed all the position they had, they fill the earth with the cry of wrongs and injuries, and unmanly lamentations over the issue of a legal contest, which was altogether of their own making.

Dr. Darrach claims a world of sympathy on the ground that the "hard-earned results of his toils and talents" have been appropriated by others, and that the College, now passed into strange hands, "owes all which gives value to its franchises, or character and weight to its degrees," to himself and friends. "They found it," say Drs. D. and W., "disorganised and disbanded—its success hitherto had been very small," and, under their auspices, "gradually, but steadily, this feeble institution grew into true and healthful strength." "The chaste and beautiful edifice," too, "gracefully proportioned and admirably adapted to its purposes, in which this institution is located, was the offspring of our [their] toil and capital, and those of our [their] then associates in the Faculty, aided nobly by a few friends whose kindly sympathies and and regards for the Faculty as then composed, induced them liberally to embark both time and money in this self-denying work." Let it, however, be borne in mind, that their withdrawal from all this was their own act; that the "franchises" which they appreciate so highly they voluntarily forfeited, and that their interest in the building erected by corporate agency for a public educational purpose they wilfully abandoned. But for their own step of separation they might have retained their places. Their colleagues had indeed become satisfied that the

School could not rise with them ; but, at the very time that their untenable act of usurpation and aggression was committed, a communication had been prepared, to be shortly addressed them, with proposals of compromise, and an offer of withdrawal in their favor on the part of their colleagues, if any satisfactory organization of a new Faculty could be presented. Blinded, however, by mortified vanity, they rushed into measures so absurd and violent that forbearance could not reach them. And, it may be fairly said, that if they have been summarily divested of places which they prized, it is because they had neither the ability to fill them, the dignity to withdraw from them, or the discretion to maintain them.

Of the obligations of Drs. Darrach and Wiltbank to Pennsylvania College, it may not be amiss here to remind these gentlemen. They owe to the Trustees of this Institution appointments to a School of which the reputation and popularity had been already established by the exertions of M'Clellan, Rush, Morton, and their colleagues. That "its success hitherto had been very small," may be contradicted, on no less authority than that of Dr. Darrach himself. In his Memoir of George McClellan, M. D., Dr. Darrach boasts that the Medical Department of Pennsylvania College under the McClellan Faculty, "during four years, enjoyed unprecedented prosperity—its class averaged 100 matriculants,"—an average not attained under the succeeding dynasty. Dr. Darrach made the most earnest personal applications for his appointment at Gettysburg. To Dr. Gilbert's good offices he urgently appealed and was not a little indebted, for the success of his efforts; and Dr. Gilbert's subsequent acceptance of a chair in the School was in response to the most pressing and repeated invitations from Dr. Darrach and his colleagues—as may be attested by numerous letters of Dr. Darrach's now in Dr. Gilbert's possession. The assumptions of personal superiority on the part of the ex-Professor are as little sustained, as his boastful claims of having "built up again a shattered institution."

No point connected with this controversy has been made the subject of so much misrepresentation as the relation of the different parties to the *College edifice*. The professors who threw off their allegiance to the Parent Institution affirm, that "though corporate in form, yet in truth it was for their especial use, and was the offspring of kindly sympathies and personal regards for them." That the gentlemen who have acted in the capacity of Trustees for the commodious property belonging to the Medical Department of Pennsylvania College, have thereby conferred upon all parties connected with the Institution much favor, is no where more gratefully acknowledged than by the members of the present Faculty ;



and the good offices of all who furthered the erection of the building entitle them to the thanks of every friend of education and science. Pecuniary obligation, however, there has been none ever, unless this may be said of the investment of money in a mortgage loan, amply secured and readily marketable, on which the highest legal interest has been always punctually paid. Much of this loan was originally taken by the mechanics who erected the building; much, too, was subscribed by various friends of the then Faculty; and not a little, derived from both sources, has since from time to time changed hands by sales in the market. But is it not preposterous to assume, that subscription to the mortgage loan of the College building, conferred a controlling voice in the management of the Institution through all time? And do the gentlemen who hold the loan expect not only interest for their money but patronage in chairs besides? Possibly such patronage may also be deemed transferable with the certificates of loan. But, in truth, many of the gentlemen who became parties to the suit in equity against the present Faculty, had not even the plea of financial interest to warrant their illegal though happily unavailing interference. By reference to a transcript,\* taken from the Treasurer's book, in March last, it will be seen upon what amount of moneyed investment in the College loan, Drs. Darrach and Wiltbank claim the building as their own, after their aggressive act had made the withdrawal of either themselves or their associates necessary. Let it also be recollected that at the earliest moment of these difficulties, on the 23d March, 1854, the five colleagues of Dr. Darrach offered in a letter, which he himself publishes in his pamphlet, *"that in the event of Dr. Darrach's retiring, they are [were] prepared to relieve him and his friends of whatever amount of loan in the building they may wish to dispose of."*

If there be any who have read Dr. Darrach's pamphlet without

\* The loan was then owned as follows, according to the Treasurer's book :

Trustees of the College building, (six of the members,) - - -	\$6,937 00
Dr. Wm. Darrach, - - - - -	664 33
Dr. D. Gilbert, - - - - -	1,178 33
Dr. J. J. Reese, - - - - -	1,000 00
Estate of Dr. H. S. Patterson, - - - - -	870 00
Estate of Dr. W. R. Grant, - - - - -	1,000 00
Pennsylvania College at Gettysburg, - - - - -	1,400 00
Persons unconnected with the College, (some of this for work and materials,) - - - - -	12,950 34
	<hr/>
	\$26,000 00

reaching the conviction that he is incapable of candor, ingenuousness and truth in his dealings with adversaries, we ask their attention while we rapidly follow him in his various points of attack. His opening page is the veriest paltering when he asserts that, before the publication of our temperate Statement, "we [they] had desired not to invite public notice to what many would regard—although erroneously—as only our [their] private griefs; and hence, we [they] have hitherto borne silently, so far as the public are concerned, the injuries inflicted upon us;" and that "we [they] have not been permitted to keep the even tenor of our [their] way," &c. &c. Why, it is notorious that he had for a year before been circulating the grossest libels\* upon us broadcast over the country, employing, it is true, not the open weapons of a manly foe, but stabbing us *secretly*, in private letters. He had also distributed *printed* and *confidential* circulars throughout the State, (signed, not indeed manfully by himself, but by two of his agents), in which not only was our course misrepresented, but a plot was proposed to drive us from our places by legislative enactment. And he actually went up to Harrisburg, with counsel and witnesses, and appeared before a committee of the Legislature to denounce us, and solicit the passage of an unconstitutional act, with a view to our removal.

Much of the pamphlet is taken up with a repetition of the legal argument, by which attempts were unsuccessfully made before the Court of Common Pleas of Philadelphia county, and before a Committee of the Legislature at Harrisburg, to establish the lawfulness of resistance to authority long undisputed, and the right of two members of a body to expel the remaining five. This feeble and quibbling piece of special pleading has already been sufficiently disposed of by the tribunals to which it was addressed. Its re-appearance now, after the crushing opinion of Judge Thompson, (re-published in the Appendix,) certifies at least that the assurance and presumption of some gentlemen of the robe are without limits. And why, here may we ask, have Drs. Darach and Wiltbank omitted to publish or even allude to this Opinion of Judge Thompson's, in reference to the suit which they brought against us? Why, too, have they omitted to publish the Award and Injunction issued against them, now more than a year since, and from which they have not ventured to appeal? And why do they conceal the fact that their application to the Legislature was summarily dismissed by the committee before whom they were heard, and that, after all their efforts,

\* The letters in pages 12, 13, are specimens.

not a voice was raised, in either House, in their behalf? Dare they thus keep back the truth, and then come and charge us "with concealing many facts most material to an understanding of it?"

Another scandalously false charge which Drs. Darrach and Wiltbank bring is, that "their private furniture and conveniences for teaching were also seized upon and appropriated." They removed from the College, by their own agents, long since, all the "private furniture and conveniences for teaching" which belonged to them or which they claimed. The amount of money expended in fitting up the College with what are usually considered fixtures, was *funded by the Trustees, as an additional loan*, is of course secured by the property, and has received regular interest.

Dr. Darrach's narration of the difficulties of the Faculty with Mr. Wynkoop, the late Janitor, is so startling a piece of prevarication, that we confess that, although now not without experience of his ability in this line, we have been actually astounded at it. The five members of the Faculty had or sought no quarrel with Mr. Wynkoop. It was not until informed by Mr. Lyons and other members of the class, that Mr. Wynkoop had openly taken sides against them, and had announced his intention of locking them out of the College at the end of the session, that the majority of the Faculty in any way interfered with this person. By the advice of counsel he was required to declare in writing his recognition of the authority of the Faculty, and a paper, to this effect, drawn up by Mr. H. M. Phillips,\* was accordingly presented to him for signature. He declined to sign it; informed the Registrar of the Faculty that he did not in any way recognize the authority of the four new members; that Dr. Darrach, Dr. Wiltbank, Dr. Atlee, and Dr. Gilbert were the only persons whose right to occupancy of the building he would ever

\*The undersigned Janitor of the Medical Department of Pennsylvania College, holding the said office under the Faculty of the College, composed of William Darrach, M. D., John Wiltbank, M. D., Henry S. Patterson, M. D., David Gilbert, M. D., John J. Reese, M. D., J. M. Allen, M. D., Francis G. Smith, M. D., and John B. Biddle, M. D., by the consent of the majority thereof, will, upon the request of a majority of the said Medical Faculty, or any one acting for a majority thereof, surrender to them exclusive possession of the College building in Ninth St., of which he is Janitor, and he does hereby authorize the said majority or any one acting for them to expel him and all thereto pertaining from the said building, and to resume for the said Faculty, according to the order of a majority of them, the exclusive possession of the building and appurtenances.

Witness the hand and seal of the Janitor this sixteenth day of February, 1854.

Witness.

Seal.

admit ; and he produced a written instruction from Mr. Theodore Cuyler\* to hold possession of the premises in defiance of the Faculty. His removal of course followed, although he continued for some months longer to retain his quarters in the College, until his principals found it prudent, after Judge Thompson's Injunction, to withdraw him. As the tale of cruel wrongs inflicted upon this "humble yet faithful officer," was some time since elaborated into a Conspiracy suit against the majority of the Faculty, it is, we presume sufficiently answered by the result† of that unworthy proceeding—certainly not the least humiliating of the ex-Professor's failures and blunders, in this controversy. He does well to pass it by unnoticed in his pamphlet.

The petty list of petty accusations which Dr. Darrach stoops to array against his late colleagues is easily disposed of. The heinous charge of private instruction to students of the College, is undeniable. It is beyond contradiction that several members of the Faculty whom Dr. Darrach attacks have long been in the habit of receiving pupils into their offices, and of examining or, as he elegantly terms it, "quizzing" them. The value of such instruction this is not the place to discuss ; it is perhaps, too, scarcely worth while to point out that Dr. Darrach has long been known as its especial friend ; that the system of examinations conducted by the Professors of Pennsylvania College he has always decidedly advocated, and that no one has ever been more solicitous to obtain office pupils, or—to his credit be it mentioned—more sedulous in "quizzing" them. The system, too, can hardly be open to the objection of "begetting in the student," as Dr. Darrach thinks, "a disposition to ingratiate himself with these gentlemen with whom intimate relations were [are] thus established ;" for, two of his own office pupils were independent enough to sign the protest against his lectures, and a third attended and graduated at the School the year succeeding Dr. Darrach's withdrawal.

\* February 18th, 1854.

MR. WM. S. WYNKOOP :

DEAR SIR,—I have considered the matter referred to me by the Loanholders and Trustees of the Pennsylvania Medical College Building. The instruction I have to give you in relation to your duty is simply this : The Building is the property of the Board of Trustees, and the Faculty are but tenants by sufferance, and as such are liable to ejection at any time upon the expression of such a desire by the Trustees.

You are instructed to sign no papers unless previously approved by the Trustees, and you are further informed that you will be required on behalf of the Trustees to retain possession of the premises, and to deliver such possession to no person who does not produce their authority for demanding it.

Respectfully yours,

THEO. CUYLER.

† See p. 14.

The false allegation that "Sabbath quizzing classes" were established in the College, the Faculty will not trust themselves to comment upon with the scorn which it excites. All this, and much more, their characters will bear from Dr. Darrach without answer. Let him not, however, flatter himself that the cant and pharisaical pretension with which he clothes his personal rancour, will pass unexposed. He tells the world, now that his aims and motives in entering a medical school were not those of other men. "The principles upon which it [Pennsylvania College] was reorganized were not popular. They had no tendency to bring sudden success, or attract those who sought to penetrate the mysteries of medical faith, from motives earth-born and impure;" his colleagues, indeed, whom he stigmatizes as "mercenary gentlemen," sought to introduce "a line of policy not consistent with a high-toned and noble standard of manly honor." They aimed—he charges, and let his remarks be read at length, for they are characteristic of the man—"to supplant those who had founded and who cherished, with an earnest love, a system of medical instruction, which had for its only and its noble aim a total forgetfulness of self, in the thorough, careful and conscientious training of students for the high and responsible duties of the good physician; who sought their reward not so much *here* as hereafter, and whose higher path of duty, faithfully pursued, was a constant and ever present rebuke to men of mean and sordid motives; this would appear to be after *little* else than the natural instinct of those whose best appreciation of a Professor's hopes and duties were measured by the profits of his chair; whose lofty mark for a student's aim was the capacity, when duly crammed and quizzed, to pass examination," &c. &c. Will it be believed, however, that this gentleman, who charges us with seeking to introduce the reign of Mammon into "a temple built from pure motives, and consecrated to higher purposes," who deprecates "sudden success," and whose aspirations were above all measure of "the profits of his chair," could discourse glowingly of anticipated dollars, and indulge in the most earthly calculations of rapid prosperity in his scholastic speculations! He writes in this vein to Dr. Gilbert after the close of his first session, under date of *April 27th*, 1844: "We have agreed "that the effort shall be for 150 pupils, which with the 17 of last session, would be 167, equal to \$835 for matriculation, and half to meet "the rent and other expenses; and for each Professor \$2505, out of "which there would be deducted about \$100. It is every thing for us "to shoot up quickly and strongly next winter; a cut worm may cut us "down unless we vigorously and quickly outgrow its undermining."

The assertion of Dr. Darrach, in reference to the Demonstrator of



Anatomy, is as much at variance with dates as most of his other statements. The election of Dr. Allen was not *followed* by the resignation of the Demonstrator, with a view to his reappointment by Dr. Allen. The minutes show that the Demonstrator had resigned on April 21st, 1852, nine days before Dr. Allen's acceptance of his Professorship. The first Faculty meeting at which Dr. Allen was present, was held May 17th following. The appointment of the Demonstrator had been taken from the Professor of Anatomy March 1st, 1851, and, on motion of Drs. Gilbert and Patterson, restored May 17th, 1852. Allusion to this point would seem to be designed solely for the occasion of a personal attack upon the estimable and accomplished Demonstrator, whose near relationship to Dr. Darrach might have protected him from unjust and indelicate sneers.

The "Medical Clinic," Dr. Darrach insists, "should have been conducted by Dr. Darrach, 'Professor of Theory and Practice of Medicine.'" The Faculty resolved to apportion it among the different Professors throughout the year, (in accordance with the usage in the University and Jefferson College,) the three first winter months being reserved to Dr. Darrach. His egotism sees in this only another effort towards "the final overthrow of the high standard of this medical School."

All this, too, Dr. Darrach has the recklessness to charge, "the newly elected gentlemen, in unison with Dr. David Gilbert, prepared to execute [as] what we [Drs. D. and W.] firmly believe was a pre-conceived purpose at the time of their entrance to the School." Three of the four newly elected gentlemen had, however, no personal acquaintance with Dr. Gilbert, and had never even spoken to him, "at the time of their entrance to the School."

It is alleged, that, at the close of the last session of the School, the number of graduates was reduced to 32, and Dr. Darrach uses this number to retort the charge of unpopularity and incompetency upon his late colleagues. If he had, however, the candor to quote the list of matriculants, this would have presented an increase upon the last session, the decline in the number of graduates having been evidently due to a decrease of the first-course students the year before, under Dr. Darrach's auspices.

In addition to the flagrant falsification of dates, by which the action of the Trustees at Gettysburg at their meeting in April, 1854, is made to appear a *cause*, while it was in fact a *consequence* of the expulsion of the five professors by Drs. Darrach and Wiltbank, many other tamperings with dates and documents are noticeable in this pamphlet. Thus,

conspicuously on the last page, is presented the action of the Trustee of the College building, dated "the afternoon of the 17th," the *month and year being suppressed*. This action is obviously designed to appear recent and of present force, while it actually occurred more than fifteen months since. The Trustees, under Injunction from the Court of Common Pleas, have long since recognized the present Faculty as the lawful occupants of the College premises.

So, too, is published without date, Dr. Wiltbank's letter explanatory of his "imprudences in speech" and "inadvertent remarks," in reference to Dr. Darrach's popularity as a teacher. It would be difficult, indeed, to fix a date to this, which would reconcile Dr. Wiltbank's "*surprise and indignation*" on "the 24th ult.," with his information "on or about the 1st of February."

While dates are thus altered and suppressed, documents are freely *garbled*. Let the following passage from a letter published in the pamphlet, (p. 29,) and also submitted in the Bill of Equity, before the Court of Common Pleas, UNDER OATH, *as evidence*, by Drs. Darrach and Wiltbank, be contrasted with the actual writing of these gentlemen—and the general accuracy of their statements, as well as their estimate of the nature of evidence under oath, will appear. They publish, as they had previously sworn, that they wrote to us the subjoined paragraph from a letter dated May 23d, 1854.

"These statements furnish an obvious reply to your remark that 'our failure to be present at any of the late stated and adjourned meetings of the Faculty, seems to indicate a purpose on our part no longer to discharge our duties in the management of the Faculty.' *Our intercourse in association with yourselves, has not of late been such as to invite our frequent presence at your meetings, where incidents painful to our feelings, and derogatory to our rights and to our self-respect, were of such frequent occurrence. We might add that meetings so unnecessarily frequent, were too serious a tax upon the time due to our professional duties.*"

The paragraph, as actually written in their letter, runs thus:—

"These statements furnish an obvious reply to your remark that 'our failure to be present at any of the late stated and adjourned meetings of the Faculty, seems to indicate a purpose on our part no longer to discharge our duties in the management of the Faculty.' *Our reasons for ceasing to attend these meetings were two-fold—first, they were unusual and unnecessary during the recess of the College; and, second, that when we were present we were not treated with the respect, that we, as members of the Faculty, were entitled to. Self-respect, therefore, and a desire to avoid discord, compelled us to absent ourselves.*"

But it is painful to pursue this exposition further. More than



enough has been adduced to show that the venomous assault of which we have been made the objects, is untrue in all its material statements, disingenuous in its inferences, and absolutely false in many of the dates and documents which it cites. If we have commented on all this in the language of honest indignation, let it be borne in mind that it has been in reply to the coarsest and most ungentlemanly vituperation. Our 'Statement,' issued in February last, in refutation of the slanders propagated by Dr. Darrach in his correspondence with the Alumni, and in his printed Circulars, was limited to a brief summary of the *documents* bearing upon the case, and contained no word of invective. It is time, however, to teach these gentlemen that they cannot varnish, garble, and post-date documentary evidence with impunity. And thus, having made manifest the wrong with which our good names have been impeached, "we leave this controversy." Strong in the consciousness of integrity of purpose and honesty of means, in every procedure in these difficulties; satisfied that we have in all things fairly done to others as we would have had them do to us; above all, believing that we are incapable of false witness against our neighbor, even to redress a fancied injury—we are content to submit our acts and motives to the judgment of the impartial and unprejudiced. From every tribunal to which we have been summoned by our enemies, their complaints have been dismissed as unfounded. They may possibly continue insensible to rebuffs, but their shafts will henceforth be harmless.

(Signed)

DAVID GILBERT, M.D.

JOHN J. REESE, M.D.

FRANCIS G. SMITH, M.D.

J. M. ALLEN, M.D.

JOHN B. BIDDLE, M.D.

## A P P E N D I X.

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### CORRESPONDENCE WITH THE ALUMNI.

It was discovered last spring that Dr. Darrach had written to the Alumni very generally. That his letters consisted not only of false statements, but were expressly designed to excite the minds of the Alumni in opposition to the present faculty, may be seen at a glance. To neutralize their pernicious tendencies our "Statement" of documentary facts was prepared and circulated. Anxious to ascertain the views, especially of the older Alumni, Dr. Gilbert addressed a letter to them, which heads their replies here given. This letter was sent to three only of the class of 1854, and is substantially the same to all. It is published in order that it may be seen what means were used in procuring these responses which are so full, clear and unmistakeable in their meaning.

They come from the most active and successful practitioners of all the Classes, and overwhelmingly disprove the closing paragraph of Dr. Darrach's pamphlet in which he avers that "from nearly every living graduate who yet continues in the medical profession we have assurances of their approval of our course, and the offer of earnest co-operation for the vindication of our rights." As a large number of the Alumni have been written to only recently, their replies have not yet come to hand.

The first three letters are from gentlemen whose names are attached to documents in Dr. Darrach's pamphlet. Others are from individuals who are indignant at the deception which was for a time so successfully practised upon them. All prove most conclusively that the writers properly appreciate the aggressors in this controversy.

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PHILADELPHIA, [March—Sept.] 1855.

MY DEAR DOCTOR,—A pamphlet has been mailed to you containing a brief statement of the circumstances connected with the late difficulties in the College. This is designed to correct unfounded impressions which have been circulated by Dr. Darrach during the past year in letters

written by him to the Alumni of the school. In this whole controversy we have acted upon the defensive, and never allowed the vindictiveness manifested by our opponents to influence us in betraying a similar spirit in return. We might expose documentary evidence of their unpopularity during the last sessions of their connection with the College; and if disposed to retaliate, involve them in serious lawsuits, civil and criminal, for statements made in their letters, as well as for their violation of the Injunction placed upon them by the Court; but this would gratify feelings merely, which every manly consideration admonishes us to suppress. In Dr. Darrach's letters complaint is made that he and Dr. Wiltbank were "ousted" by their colleagues. You will perceive by the documents, that their removal was caused solely by their own act in having attempted to expel illegally five of their colleagues from the Faculty, and repudiating the authority of the Parent Institution, which they had always previously acknowledged. They followed up this act by offering the chairs thus vacated to Drs. Atlee, Babb, J. Parrish and others, having previously attempted to oust their colleagues from the College Building through the agency of the late Janitor. In consequence of these acts, mainly, and to save the Medical Department from utter ruin, they were removed by the Trustees of the Parent Institution on the 6th of June last, *seven weeks* after their formal expulsion of their colleagues and act of repudiation. You will also see that they utterly failed in their attempts to reinstate themselves through a Court of Equity last summer. During the present session of our Legislature they secretly applied for an act which would at once have destroyed the present organization of the College. In this they also failed, the exposure of the attempted deception having "killed the bill" in the committees of the respective houses. During the fall and winter, Dr. Darrach wrote his letters to the Alumni, specimens of which are given in the pamphlet. In these he appeals to their sympathies in behalf of the late Dr. Patterson, who was beloved by all; and then directs the current of their excited feelings in favor of a quo warranto to serve his *own* purposes. The exposure of the scheme to make Dr. Wiltbank and himself witnesses in procuring the "quo warranto" has put an end to this last device, and their stock of annoyances being exhausted, we may consider every thing now settled. I make these statements and furnish you with the facts in order that you may be informed as to the present position of your "*alma mater*." My colleagues are gentlemen of the highest standing as men and teachers. The school is exceedingly prosperous, and there is every reason to believe that it will in a short time take rank as to numbers and efficiency with the older schools.

It will afford me pleasure to hear from you, and have an expression of your views after a careful perusal of the documents sent you.

Yours very truly,

D. GILBERT,  
No. 267 Arch Street.

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CEDAR SPRINGS, May 28th, 1855.

MY DEAR DOCTOR:

DEAR SIR:—Your letter and pamphlet came to hand at last, although they were long coming; however, they were received with the greatest of pleasure, as they contained a great deal of satisfactory news concerning the late difficulties of the Faculty of Pennsylvania College. Dr. Darrach wrote three or four letters to me through the last summer, and never would he tell the precise cause of these difficulties between the old and new Faculty, and the reason why he did not I am not able to say. However, since I received your letter it gave me more light on the subject, and even gratified my feelings. After having read the pamphlet, it settled the confusion of my mind. I was happy to hear that you and others of the Faculty were so successful in gaining the suit at Court. I hope there may never be such difficulty in Pennsylvania College any more. Your letter and pamphlet came to hand two weeks ago. I should have answered sooner but had no time to do so.

Yours with sentiments of high esteem,  
SAMUEL ADAMS, [Class 1854.]

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ADAIRSVILLE, GEORGIA, April 3d, 1855.

PROF. GILBERT:

DEAR SIR:—Yours of the 26th ult. is before me, giving further confirmatory proof of the misfortune, for misfortune it is, that has befallen my alma mater.

I did hope, after the re-organization which took place subsequent to the death of Dr. Grant and resignation of Atlee, the Institution would speedily "go up." But it appears from the number of graduates this spring, the College is yet only struggling for existence. I was much gratified on the election of Doctors Smith, Allen and Reese to chairs; for I know them to be gentlemen of talent and an enviable tact of imparting instruction. If no further interruption occurs, however, in the present organization, I can see no reason why the school should not have a large and intelligent class.

I am truly sorry such course was taken by Drs. D. and W. to repudiate all connection with the Parent Institution, and those who had labored so faithfully for the promotion of the school, and in discharge of their respective duties. I must acknowledge I did hope better things of those gentlemen,—the latter of whom is from my native State, Delaware.

Truly yours,

T. M. LAYTON, [Class 1851.]

WAVERLY, August 28, 1855.

PROFESSOR GILBERT :

DEAR SIR :—I have just received your note, accompanied with the "Statement" and catalogue. I have read the pamphlet, and according to the testimony therein, the present Faculty have justly succeeded. Yet I must say, that I very much regret, that such dissension and trouble should disturb that Institution, for I had great confidence in the honesty and integrity of each of the old professors. I still consider myself a sincere friend of the Pennsylvania College, and shall endeavor to induce as many students to attend there as possible.

Truly your friend,

J. C. MILES, [Class 1847.]

MILLERSTOWN, Sept. 7, 1855.

DEAR DOCTOR :—Yours of the 23d ult. was forwarded to me this morning, and in reply would say that I *most heartily* approve of the present arrangement, and desire to see the present Professors retain their places. True, I consented to have my name attached to the "Quo Warranto" of Dr. Darrach's, supposing at the time he was badly treated, and dishonorably ousted, and not knowing that he wished to separate the Medical Department from the Parent Institution; something, I would exceedingly regret to see. After examining into the matter fully, I find that, in my estimation, the present arrangement is calculated to advance the school, and should create universal satisfaction among the Alumni. I hope you will pardon my careless neglect in not answering sooner; during the spring and summer, business was so thriving that want of time prevented my replying.

May there be a large increase of students attending this season, and all the difficulties connected with the College quieted; so that you may be amply rewarded for your laborious efforts in keeping the Institution pre-eminently advancing, is the sincere wish of

Yours truly,  
P. S. LEISENRING, [Class 1855.]

SELINS GROVE, Sept. 1, 1855.

DEAR DOCTOR :—The reception of your letter occasioned me a good deal of surprise, as *I had written to you immediately on my arrival home from the city in the spring*. I had designed sending you Dr. D.'s letters to me, but I found that I had but the one, having lost the other, (which was the all important one). In reply, I have but to reiterate what I then said, viz. that through the representation of Dr. D. my sympathies were aroused and enlisted in behalf of himself and Dr. W. before I had time to hear both sides of the question. Believing nearly all I heard to be true, (for the language in which the epistles were written was well adapted to awaken the sympathies of any alumnus,) I answered from the impulse of the moment, and sent the "gold dollar." Since, however, I have examined the *pamphlet*, I have regretted having acted so hastily, and have been actuated altogether by a different motive, viz. to sustain my alma mater, and especially the present Faculty



of Pennsylvania Medical College. I am busy and write in haste, yet, you can rest assured that (although I am brief) I will use my utmost endeavors to sustain the cause of justice and truth.

Yours in haste,  
P. R. WAGONSELLER, [Class 1853.]

LEWISBURG, August 17th, 1855.

DR. D. GILBERT :

DEAR SIR :—Your letter was duly received, and it would have been answered sooner had I known the Post Office address of the several persons you enquired after.

I received the announcement of Pennsylvania Medical College a few days ago. Dr. Darrach acknowledged, (per letter,) the receipt of the *gold dollar*. My name was added to the *Quo Warranto*.

Your pamphlet was also received. I am very sorry, at present, that I have ever taken the steps I have done, though after hearing my story, you may not blame me so much. The first intimation I had of the dissatisfaction among the Faculty of Pennsylvania Medical College, was through Dr. Albright, whilst a student. The particulars or nature of the difficulties I had never heard, nor made any especial inquiries about thinking it to be probably of some hot-bed character and would soon blow over. Some time during last summer, I received a letter from Dr. Bond, (which letter I enclose you with this, and which I wish you to read and then send back to me again,) stating that "Drs. Darrach and Wiltbank have been turned out of the Pennsylvania Medical College by new men, who were placed there through their kindness." This rather outraged my feelings, especially so as it was done by "foreigners," not natives, and I immediately volunteered my services to assist to have them re-instated, and the "rebels" thrown out. This was the upstart of the whole thing of my engaging in the warfare. I did not for a moment think but that *you*, of course, belonged to the old Faculty. Presently, I received a few more communications of Dr. Bond, and likewise from Dr. Darrach, stating that they were "ousted," and that they had lost their professorships in the College, and that for "the well being of the Institution it was necessary that the Alumni should assist them in the recovery of their respective chairs, by getting out a "*Quo Warranto*," and in which I could of course see nothing unfair, and engaged with all my heart, and also engaged to have the amendment to the charter passed, and thought that the whole thing was passing on right, until our member wrote to me that *the bill* had not come up, and he wished to know who it was that had it in charge.

I took Dr. Darrach, previous to this, to be . . . . .  
though if the "*old fox*" ever catches me again in a similar engagement, I certainly will give him all credit for doing so. Had I known in what way he or Wiltbank originally held their respective professorships, I certainly should have thought all right in their being voted out. After reading the pamphlet you sent me, I found that they have

been in the fault all round; and irrecoverably lost that respect I formerly had and felt for Darrach.

My warmest wishes are with the present Faculty of Pennsylvania Medical College, and my influence shall ever be given in behalf of its prosperity.

Please send answer at leisure, and what of the *gold dollar*?

Yours truly,

WM. LEISER, [Class 1848.]

NINEVEH, Ill., Sept. 10, 1855.

MY DEAR PROF. :—Your letter of Aug. 22d came safely to hand, and found me very busy attending to the sick. I now haste to give you my views, as you request in your letter in regard to the new arrangement of the College. After carefully perusing the pamphlet you were so kind as to send, and for which you have my best thanks, I have come to the conclusion that Drs. Darrach and Wiltbank have done wrong in trying to divide and destroy the College. But still their efforts have resulted in good and for the benefit of the College. For I do think the College has now Professors to fill the different chairs, who not only stand high in their profession, both as physicians and writers, (and whose motto I hope will be *more practice and less theory*), but also as lecturers. And the effect of this arrangement will be to increase the number of students and make the College stand in the city where it ought to be for medical talent. I have now given you my views in as few words as possible, and hope your efforts for the advancement of the College will be crowned with success. You will now see that I heartily agree with the new state of affairs in the College. I could, if time would permit, express myself more plainly, but it is late and my sheet is filling up. I will close with my best respects.

I remain your most sincere friend and well wisher,

J. B. REAM, [Class 1850.]

WOODBURY, March 22, 1855.

PROF. D. GILBERT:

MY DEAR SIR :—Your communication of the 17th is to hand, for which please except my sincere thanks, also for the pamphlet sent me. I have examined with much care the documentary matter as rendered in the pamphlet, in reference to the Medical Department of Pennsylvania College, an Institution for whose welfare I feel the deepest solicitude, not only on account of being one of the Alumni of the school but feeling entirely satisfied that she ranks among the ablest schools of your time honored city. I feel much gratified that her present Faculty has been so completely sustained amidst all the vindictiveness of her persecutors. Several months ago I received a letter from Dr. Darrach asking several things as rendered in your pamphlet. I treated that letter with silent contempt, never having answered it. I feel very sorry that Dr. Darrach should ever take such a stand against the school. I



was asked to co-operate with my fellow Alumni in the issuing a *Quo Warranto* to recover their chairs from which they claim to have been ousted unjustly. Now, to say the least about it, I consider it an insult to ask me to become a party in instituting proceedings in any case whatever, when I am entirely uninformed as to the justness of the ground taken. And I will here say that, since I have examined the pamphlet, I feel exceedingly glad that I withheld my name. Wishing you and your colleagues health and prosperity, I have the honor to subscribe myself

Your obedient servant,

SAML. SMITH, [Class 1852.]

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GEORGETOWN, D. C., March 27th, 1855.

MY DEAR SIR:—I have the honor of acknowledging the receipt of your favor of the 17th inst. forwarded to me from Waynsboro, also, the pamphlet which you mentioned in your communication. I have been spending the winter in Florida, and just returned here a few weeks ago, where I shall remain ten days or two weeks longer, and then return home. On my arrival here I received two letters from Dr. Darrach written in the early part of the winter, very similar to the ones published in your pamphlet of vindication. I, however, did not answer them, desiring more information on the subject before taking any part in the matter, or giving any expression of my views in regard to the same. And I assure you, I am very glad I took this step, for in your pamphlet you most irrefragably prove that Drs. Darrach and Wiltbank, together with their aiders and abettors, are entirely in the wrong, and have shown a littleness of spirit, as contemptible and disgraceful as vindictive. How Dr. Darrach could repudiate the authority and abnegate the existence of any relation to the Parent Institution at Gettysburg, is to me a matter of the utmost astonishment and surprise. Never was there anything clearer or better established, and in your rebutting testimony you most conclusively show that even he acknowledged the relation until within the last few months. What in the name of reason and common sense, therefore, could have infatuated a man of his principles and standing to take such a step? A man whom we all loved to honor and respect, as such—and to whom, on account of his zeal or pretended piety, we gave the reverential sobriquet of “preacher” and “papa,” and we would as soon have doubted our own existence as the truthfulness of his word. In regard to his conduct I can only exclaim in the language of Othello, “’Tis strange—’tis passing strange.” You also show most clearly that their ousting, as they dignifiedly call it, was not of your seeking, but the result of their own high handedness and folly; and consequently fully and richly deserved by them. I am truly glad to see that the difficulty is settled, or nearly so, that you have so ably defended yourselves against their unjust imputations, that you have completely thwarted them in all their unwarrantable and illegal acts, and have set forth in the clearest possible light your own indisputable right and title to the positions you occupy, and that, too, in a manner calculated to elicit the admiration and

praise of all who may become fully acquainted with the history and facts of the case. I am also gratified to learn that the school is in such a prosperous condition, and feel confident that the future will show, that the expulsion of Drs. Darrach and Wiltbank by their own indiscreet act, was rather a benefit than an injury to the Institution. With most of the members of the present Faculty I have no personal acquaintance. Drs. Smith and Allen have a wide spread reputation, not only as gentlemen of the first order, but the most eloquent lecturers in the city of Philadelphia. Drs. Reese, Stillé and Neill I know by their medical writings and communications, which I always perused with pleasure. And Dr. Biddle I consider one of the most pleasant and agreeable men I ever met with; in reference to his medical qualifications I know nothing. With such a Faculty and such talent, Pennsylvania College must prosper, and will soon take rank with the best schools in the country, at least such is my most ardent wish. With sentiments of the highest regard, I subscribe myself

Your sincere friend,  
H. JACOBS, [Class 1851.]

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FRANKLINVILLE, August 30, 1855.

PROF. GILBERT :

DEAR SIR:—Yours of the 22d inst. together with other favors, have been duly received. I have read with intense interest, the "Statement," containing the facts connected with the late changes in the Faculty of Pennsylvania Medical College, legal controversy, etc., which dissects completely the scheme concocted behind the screen. From the data therein set forth, it appeared most conclusively that the minority, occupied the aggressive position, whilst the members composing the majority Faculty, the defensive; maintaining the rights of their professorships and sustaining the just claims of the Parent Institution, all of whom, by their former acts, recognized their connection with and subordination thereto.

The decision of the Court seems to be final and conclusive, precluding further litigation, or any action on the part of the *assailants*, tending prejudicially to the interest of the College; confirming unto the present corps of Professors and their successors the immunities enjoyed under the Trustees of Pennsylvania College, and securing to the Alumni, "the good policy, prosperity and honor" of their "alma mater."

Dissensions are to be deprecated in every point of view; they are calculated to retard the progress and defeat the very object for which associations are formed, and are, with few exceptions, not productive of any good results. This case was inevitable, however, and may be cited as one of the exceptions.

The solidity of the *Institution* is now tested, its foundation firmly established and the superstructure reposes securely upon its base, bidding *defiance*, to the *thrusts* of an extraneous *foe*, whilst there are no intestinal bickerings, to interrupt the harmony now existing.

Would you be kind enough to inform me sir, at some convenient pe-

riod, whether the "heartfelt object" of the "Donors," in procuring the portrait of Professor Patterson, is yet carried out?

Be pleased to accept assurance, sir, of the high consideration entertained for you individually, and for the existence and prosperity of the present Faculty.

Very respectfully,

J. LEVERING HEIST, [Class 1845.]

TURBETVILLE, Northumberland Co., Pa., June 16th, 1855.

Prof. D. GILBERT.

DEAR SIR: Your letter and printed documents relating to the reorganization of the Faculty of our Alma Mater have been received. I have read the document in question carefully, and I fully concur in the views therein set forth by you as well as the course you have pursued. I received a letter from Dr. Darrach some time in March last, some thing similar to those published, but I never answered it yet. I must freely confess that I have still the greatest veneration for the talents of the lamented Patterson, but I will keep this respect for Dr. Patterson in *my mind* and the *gold dollar* in my purse. They are not very plenty up here.

I say go on, as you have been doing, regardless of outside slander or "ousted Professors." The College will ultimately succeed, and I will promise you all the little influence I can command. I would like to express my opinions more freely on our College, but time does not permit.

Yours, sincerely,

G. J. DESHLER. [Class 1853.]

LEETOWN, Va., June 19th, 1855.

DEAR DOCTOR :—I received yours of March 27th, with a pamphlet showing a statement of the difficulty existing between the present Faculty and Trustees of the Medical Department of Pennsylvania College. After carefully reading the pamphlet, I cannot help justifying the course that the present Faculty have taken, though at the same time I regret exceedingly that any difficulty occurred which made it necessary to expel two of its old members; but it was, I presume, (though painful to you) the only remedy to save the Institution. I believe that you were right, and the Courts so far have sustained you. The Alumni and the world will justify the present Faculty in the course they have taken.

You must excuse me for not answering your letter sooner. I was absent from home a short time, and on my return business of an unusual character crowded itself upon me, which I hope will be a sufficient excuse for not attending to your letter sooner.

Yours respectfully,

JAMES LOGIE, [Class 1847.]

GETTYSBURG, March 22d, 1855.

Prof. D. GILBERT,

DEAR SIR :—I have lately received a statement of the facts connected with the late re-organization of the Medical Department of Pennsylv-

vania College, and am glad to be able to congratulate you upon the fortunate issue of the contest in which you were engaged. I am glad, too, that the misrepresentations respecting this matter, so industriously circulated by those who preferred the gratification of their own feelings of envy and malice to the good of the College, have been so fully exposed, and your course justified by the decision of the Court and the verdict pronounced by the attendance of an unusually large number of students upon your lectures.

Whilst I was attending lectures it was the general opinion among the students that Dr. Wiltbank was entirely out of place in the Chair he occupied; and Dr. Darrach was looked upon as a well meant sort of a man, but visionary and a ——. The one we were ashamed of, and the other we were *not proud of*. To be rid of them in any manner was a gain for the school, and I do not think any alumnus who is unprejudiced and posted as to the facts will be other than rejoiced at the event. The large attendance of students whilst the struggle was yet pending, and the affairs of the College altogether uncertain, shows conclusively the popularity of the new Faculty. I feel satisfied that a few years will crown your efforts with perfect success. As an Alumnus of the College, and having her interest alone at heart, I was rejoiced when I heard of the change in the Faculty. I would have been satisfied to have had it made at *any cost*, and I cannot now be other than glad at the event so fortunately brought about by *their own initial proceedings*.

With best wishes for the prosperity of yourself and the College with which you are connected,

I am very truly yours,  
JNO. A. SWOPE, [Class 1851.]

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ROTHVILLE, Pa., March 24th, 1855.

PROF. GILBERT,

MY DEAR SIR:—Your very satisfactory letter, explaining the condition of affairs in the College, was received a few days ago: also the pamphlet. To say the truth, I had, up to this time, taken not the slightest interest in it; but I am perfectly satisfied, and hope the school may prosper with the *present* Faculty. Prof. Darrach's lectures always were a great *bore*. Further than this I have nothing to say.

Yours truly,

M. L. LAUBER, [Class 1850.]

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YORK, March 20th, 1855.

DEAR DOCTOR:—I received your letter and pamphlet giving me much interesting information concerning the unpleasant difficulties in which you are involved. We are sorry indeed to learn the fact, inasmuch as it will in a great measure be detrimental to the school, at least for a time.

Concerning your course and right, in the matter, we are well satisfied, and I think the printed facts will generally correct misconceived opinions amongst not only our graduates, but the profession abroad. It is advisable to give these facts a wide circulation.

I was much disappointed to know that Drs. Patterson and Wiltbank

were amongst the instigators of so blind a difficulty. In Dr. Darrach I would expect much less discretion, as his general measures heretofore were of a highly strung character.

We consider the Faculty, as now organized, much superior as a whole, than at any former period, and I think we speak the sentiments of a very large majority of our graduates. When I was with you, I discovered much dissatisfaction amongst the class concerning Dr. Darrach's endless harangues on miasma and miasmatic fevers, and other foolish peculiarities in practice. I know at that time nine-tenths of the class would have been pleased to see his chair vacated. I state these facts, not out of disrespect or ill will towards him—far from it. His abilities are such as to fit him for a teacher of medicine, and I think in an eminent degree, but his *mode* of teaching was, to me at least, annoying instead of interesting and instructive.

The course you have pursued is highly commendable, and will invite the warmest feelings in your behalf; while the blind missteps of the others will certainly prescribe a boundary to their wild and heedless ambition. In the eyes of other schools their conduct must seem simple—far beneath the dignity of learned Professors, and the profession generally will certainly look upon them as once medical teachers of note, but now dead and disappointed aspirants to power and renown.

Give my best wishes to your honorable colleagues, and say for me that untiring perseverance will yet blow away the clouds which surround you, and will place Pennsylvania Medical College amongst the No. ones of medical schools of the world. This is as certain as it stands in Philadelphia.

Yours respectfully,

DAVID S. PEPPER, [Class 1852.

ELKLICK, April 1st, 1855.

DR. GILBERT,

DEAR SIR:—Your favor bearing date 19th March, was received in due time, and in reply would say that the pamphlet has been received and read, and the course pursued by the Faculty as stated meets my entire approbation. Indeed, I spoke freely of a change in the Faculty when I was last in the city, both in a conversation with Drs. Wiltbank and Allen, and in subsequent letters to Dr. Smith; and the propriety of Dr. Darrach's removal was frequently discussed by the class.

As to the prospects of the school, I hear encouraging news from all directions. An intelligent member of the last class of Jefferson College, with whom I had some conversation, gave it as his opinion that the Pennsylvania College would soon rank with the other schools. For myself, I feel more interest than ever in its success, and stand pledged to exert my little all for its advancement.

Yours with regard,

H. C. STEWART, [Class 1853.]

ST. JOHNS, N. B., April 11th, 1855.

MY DEAR DOCTOR:—Your letter of the 3d ult., came to hand per Dr. Smith, for which you will please accept my hearty thanks. Yours



also of the 17th I have received. It affords me satisfaction to find that Dr. Darraeh's able production answered a good end, although late. I feel thankful for your long and satisfactory letter, yet I hope you did not consider it necessary in order to convince me of Dr. Darraeh's character. While among you I always considered Darraeh a . . . . . whereas, there was no one in the Faculty stood so high in my humble estimation as yourself, save one, and that was good, dear Dr. Grant, my esteemed friend. As for Wiltbank, he is . . . . . He is nothing more than . . . . . —a mere tool to assist in carrying out Darraeh's plans.

The steps you have taken with regard to Darraeh and Wiltbank, so far as I am capable of judging, have been perfectly correct, only rather mild. They should not only have been turned out of the College, but prosecuted for libel. I consider, Dr., that no person who knows the facts of the whole proceedings would side with them. There is no doubt, however, that Dr. D., with his long smooth face, will rake up sympathy among a few. You certainly deserve a vast amount of credit for your successful efforts in sustaining our Alma Mater; you have acted from a sense of duty; your conduct throughout the whole has been manly and honorable, and hence the result. God is on your side; and if He be for you, who can be against you?

Hoping that the wise Disposer of all events may direct and sustain you, I remain, dear Doctor, your obliged friend,

JAMES HUNTER, [Class 1849.]

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KINGSTON, N. J., April 4th, 1855.

DR. D. GILBERT,

DEAR SIR :—Your pamphlet has been received. I have always taken a deep interest in my Alma Mater, and am pleased to see that it has at last fallen into the hands of a Faculty composed of men *all of whom* are competent to teach. It was often a matter of surprise to me that it did so well, considering the elogs which weighed it down—I mean in the Chairs of Practice and Obstetrics. Your extensive acquaintance in the country and influence in bringing students, is the only way that I can account for much of the prosperity which you had.

You have my cordial good wishes, and any influence I have will be exerted for Pennsylvania College.

Yours very respectfully,

JACOB BOWMAN,

[Class 1843, and in frequent attendance since.]

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EPHRATA, Sept. 10th, 1855.

DEAR DOCTOR :—I am free in expressing myself to you, that I am perfectly pleased with your proceedings since the occurrence of the late controversy. I perceive by the announcement sent me, the school is still increasing. I am pleased to see the rise of our school, and hope there will be no more *Darrachs* found in the Faculty. Excuse this haste; write soon again.

Very truly yours,

GERSHOM WENGER, [Class 1850.]

BUENA VISTA, ILL., March 26th, 1855.

MY DEAR SIR:—Yours of 17th inst., has come to hand, also the pamphlet, by which I see that the present faculty have carried the day thus far; and I cannot see what more the opposite party can ask. There is no doubt but what Dr. Darrach will leave no stone unturned; when he fails in one point, he will try another for the purpose of breaking up the school; but I trust he may be foiled as he has been heretofore. I have been kept posted in the case, ever since the difficulties commenced, and when the Dr.'s letter came to hand, I could see through the whole plot; but I have no doubt the Patterson *dodge* took with others that were not posted in the matter, and have no doubt sent in their names. I am satisfied with the present Faculty; so far as I am able to judge, the *ship* is now well manned, better than it ever has been heretofore, and I trust you may have a smooth sea and pleasant gales to waft her on prosperously.

Do you sometimes hear from my brother Samuel, Rebersburg, Centre Co., Pa.? He feels considerable interest in our school. He was at your commencement two years ago. He then expressed himself very favorable to the school. I told him at that time that I considered the Faculty complete with one exception, (I did hope to see a better man in the chair of Obstetrics.) Last winter I spent a few days at Chicago, and while there, attended the Rush Medical College. I, at that time, in a letter to Dr. ——— said, that if Prof. Davis was in Prof. Darrach's place, and Prof. Evans in Dr. Wiltbank's chair, then they might brag of their Faculty as being the best in the city. I was very favorably impressed with the above men in a practical point of view. Prof. Darrach is not to be compared to Prof. Davis, at least to fill the wants of a western practitioner. He is a straight-forward off-hand speaker, and everything he says *is to the point*.

Out of your present Faculty I am acquainted with none but yourself, (except by reputation.) I have Prof. Stillé's work on Pathology; I am very much pleased with it; of the rest I have heretofore been favored with Introductions and Valedictories, except the last I have not yet received. Please accept my thanks for the pamphlet. Anything connected with the College is always thankfully received. Rest assured that you always have the kindest regards and best wishes for the prosperity and welfare of our Alma Mater.

Respectfully, I remain your obedient servant,  
C. G. STROHECKER. [Class, 1848.]

To Prof. GILBERT.

—————  
LIVERPOOL, April 9th, 1855.

MY DEAR FRIEND,—I read you letter of the 26th of March, and would have answered it sooner, but we have had an unusual number of cases of pleurisy. My business is on the increase, I therefore hope you will pardon me for neglecting answering your letter, sooner.

I read the pamphlet, and was surprised to see the course pursued by Drs. Darrach and Wiltbank. I, however, have expected no more from them, The course that you and the present Faculty have pursued, I think per-

fectly justifiable, and am pleased to see you all stand out for its maintenance, and hope soon to see it rank above the older schools.

You may rest assured that I will do all in my power to further the progress of the college. I have recommended all the students to attend the college.

With sentiments of respect,  
I remain yours truly,

T. G. MORRIS,

[Class 1848, and in attendance session 1844-5.]

To Dr. D. GILBERT, No. 267 Arch street.

FAYETTEVILLE, SEPT. 5th, 1855.

DEAR SIR,—I trust you will pardon my neglect in not writing to you sooner, avowing my entire approval of the course you have pursued in the late difficulty connected with the college. I read the pamphlet you sent me, and I am fully convinced that your opponents have been actuated more by a spirit of revenge than any prospect of success, and, I trust, after the facts are fully known, that you will have the entire approbation of all the Alumni to sustain you, while your opponents must (and justly so) sink very low in the estimation of all who become acquainted with the facts. I cannot but regret the conduct of Drs. Darrach and Wiltbank. They acted without the least shadow of authority, right or justice; and then, through a spirit of vindictiveness, sought to intimidate their colleagues. How they could reasonably expect that a Court of Equity would sustain them I am unable to discern. And, hence, I am pleased to learn they have failed in every particular. Your course, I think, has been one of duty, right and justice; you have my approval of the present arrangement, and my warmest and best wishes for the success and prosperity of the school.

You will please, sir, accept for yourself and Faculty my kindest regards.

Yours, very truly,

E. HARTZELL. [Class 1847.]

MINERSVILLE, PA., Sept. 7, 1855.

DEAR DOCTOR,—Your friendly letter of the 22d ult., was received this week. The letter and statement of the college controversy, which you make mention of as having been sent to me last spring, did not come to hand. I am sorry for this, as it would have afforded much satisfaction to have heard from you, and learned the true state of affairs as regards said controversy. If it would not be presuming too much, I would suggest that any "statement" that might yet be sent to my address, would be thankfully received.

You ask for an expression of my views in regard to the present arrangement. I suppose you allude to the arrangement as published in the last "Announcement." I can most assuredly do no otherwise than say, that as far as I understand it, the present arrangement meets my cordial approbation. Nor can I help regarding the additional facilities

for acquiring "Clinical Instruction" as a great desideratum towards attaining the object in view, namely, a sound medical education.

From a personal knowledge of the growing unpopularity of several of the older Professors, I have always approved of the partial re-organization of the Faculty which was made. The prosperity of the school, it appeared to me, seemed to require the quiet resignation of those members of the Faculty whose instructions proved to be no longer satisfactory to a majority of their pupils.

I am now looking forward in anticipation of the time when I hope to be able once more to take my seat among the pupils of Pennsylvania Medical College, and listen to another *full* course of instruction, as it falls from the lips of those able and indefatigable teachers who fill their their respective chairs within its walls.

With kind regards to yourself, I remain,

With much respect,

Very sincerely, your friend,

J. W. DANENHOWER. [Class 1853.]

Dr. D. GILBERT.

WEST EARL, LANCASTER Co., March 20th, 1855.

PROF. GILBERT:—

DEAR SIR,—Your letter of the 15th ult., containing a statement relative to the late difficulties in our College, has just been received, and read with interest and full satisfaction. Father brought home one of the pamphlets "containing a statement of the facts connected with the late reorganization of the Faculty of the Medical Department of Pennsylvania Medical College," etc.

The first glimpse at its opening page at once confirmed my suspicions in relation to the probable motives which influenced Dr. Darrach in a letter addressed me last fall. The same evasiveness and adroit manner of enlisting the sympathies of the "Alumni" are here manifested. He, Kossuth-like, then asks "material aid" toward a full length portrait of the late lamented Prof. Patterson, concluding his stickling for sympathy by a request for my autograph. But as I suspected something "rotten in Denmark," I withheld both the "gold dollar and autograph," the former of which was no doubt nearest at heart. I was well aware (it being foreshadowed during my last session) that some difficulty would arise in the College. The moment I heard that the chairs of "Theory and Practice" and "Obstetrics" were vacated, I felt assured that it was caused by the employment of some unfair means by these gentlemen. I well knew that Dr. Darrach, for one, considered himself one of the mainstays of the College. I observed it in his private conversations and various plans he was perfecting for the elevation of our school—it always sounding as though he considered the future prosperity of our school to depend upon his own skill and untiring exertions.

The pamphlet gives a complete refutation of all their allegations, and too plainly exposes the weak, foolish and unfounded designs employed

to grasp a power they never held, nor never can obtain, if endorsed by all the Alumni, with a gold dollar and autograph to boot. All their declarations are a batch of misstatements, so bunglingly constructed, that their *honesty* is completely annihilated, and they placed in a ridiculous plight. It is unnecessary to enter into detail concerning the causes of their ejection—their appeals, “boasted authority,” “repudiation of the authority of the Parent Institution,” which they recognized while acting as Professors, secret petition to the Legislature, etc.

The old maxim, “drowning men grasp at straws,” was never more forcibly illustrated than in their case. The utter imbecility of their self-assumed powers is so plainly proven in the “pamphlet,” that their own selfish prejudices cannot withstand the conviction of their tortured consciences. I ever entertained the highest regard for both Darrach and Wiltbank as gentlemen; but since they have condescended to ruin the future prosperity of my Alma Mater, (for their own aggrandizement,) and disseminate their nefarious designs broadcast among the Alumni, I can no longer entertain that profound respect which ever clusters around my honored preceptors.

I feel an abiding interest in the advancing prosperity of my Alma Mater, and hope to see the day when she, with her present able and experienced Faculty at the helm, may stand second to none in point of number and celebrity.

With my assurances for the unbounded prosperity of the College, and discountenance of such measures as her enemies are employing—wishing you all a mature age and enduring professional renown—believe me

Your sincere friend,  
L. B. GARBER. (Class 1852.)

PROF. D. GILBERT, M.D., 267 Arch St.

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BEDFORD Co., VA., May 4th, 1855.

DEAR DOCTOR :—I received yours of the 28th March, a short time since, and after a perusal of the documents accompanying it, proceed to reply. My mind has been fully made up in regard to the College affairs for some time. Whilst I was in the city last summer I was greatly importuned by Dr. Darrach to write such a letter as he would dictate, to serve his and Dr. Wiltbank's purposes. I declined doing so until I had ascertained more of the particulars concerning the affair, and since I have been located here, have received a letter from him, similar to the one contained in your document. I did not answer it, because I could not sympathise with them in that particular.

I sincerely hope that you may prosper in raising the standing of the Institution to an equality with the best in the government.

With much respect,  
I am, sir, yours very obt.,  
R. CHRISTIAN, (Class 1851.)



SOMERSET, Aug. 21st., 1855.

DEAR DOCTOR :—I received a letter and a pamphlet from you, in April last, only a few days previous to leaving on a Western tour. I have been at home but a short time. This I hope will excuse me in so long delaying my answer.

I received last winter a letter from Dr. Darrach, very similar to those published in the pamphlet. I never answered it; first, because I had heard from other sources what was going on; and secondly, because I was well pleased that a change had been made in the Faculty.

To the Alumni of the school it is not necessary to produce any evidence of the unpopularity of Drs. Darrach and Wiltbank. Their unfitness for the position they occupied, any sensible man could perceive. I often said that the school, as then organised, could never take rank; that even *respectable* success was *impossible*.

With the gentlemen who compose the present Faculty, I have no personal acquaintance, except with yourself; but I know them notwithstanding, and I hope you will believe me when I say that no men could have been chosen in Philadelphia in whose success I could have more confidence. You *must* succeed. Of the old Faculty I could expect nothing but a failure. I knew it was your influence mainly that sustained it; but what could one man do in that connexion?

You may rest assured that whatever I can do for the school, shall be done, and heartily done. I remain,

Very truly yours,  
GEO. B. FUNDENBERG, (Class 1849.)

RURAL RETREAT, VA., June 6th, 1855.

DEAR DOCTOR :—I avail myself of a few leisure moments to address you.

I have received "A Statement of affairs of Pennsylvania College," and approve of everything contained therein; and if it is your intention to solicit the views of the Alumni with regard to clearing up foggy points, or of establishing the Alma Mater upon a firmer basis, I claim to be thoroughly democratic and a know-something, and will have no objection to give my full evidence.

Give my respects to your colleagues. Yours,  
J. E. HERBST, (Class 1854.)

SOUTH HERMITAGE, May 8th, 1855.

DR. GILBERT :—

DEAR SIR,—I hope you will pardon my neglect in not writing to you sooner. I have been so much engaged, in one way or another, that I have not had time to attend to it.

I received your letter, together with the "*statement*" of the difficulty in the Faculty, and gave it an attentive reading (as you desired me to do), and am convinced of the unjustness of Drs. Darrach and Wiltbank's claim to the College building. I am delighted to hear that they have

been foiled in their fraudulent attempt to get possession of property to which they were not entitled. From a knowledge of Darraeh's and Wiltbank's character, it is just what I would expect of them. It was as gross a piece of unprincipled swindling and falsehood as I ever heard of. It is lucky for the prosperity of the School that they are expelled, for they stood greatly in its way—Darraeh, by his eccentric sermonizing, and Wiltbank by his stupidity.

I feel assured that the college is now in the hands of those who will promote its good. I feel sure that the day is not far distant when the Pennsylvania College will stand among the first in the City in *number*, as I think it *now* does in merit. I will be ever ready to do what little I can to contribute towards the support of the Institution, to which I owe so much, and in which I feel so great an interest.

If this expression of my views will be of any service to you, I will feel that I have done something in consideration of the great benefit I received from you.

Yours, truly,  
J. WALLACE, (Class 1848.)

SUNBURY, April 20th, 1855.

TO PROF. D. GILBERT :—

DEAR SIR,—The bearer, of Sunbury, some six months ago, received a wound of the eye-ball, by means of a small piece of steel flying from the edge of a hatchet, while striking upon another. He comes to you for your opinion, and, if necessary, for you to remove it by operation, or by some one whom you may recommend.

You will please let me know, as soon as convenient, what you think of it, &c. The published statement of the facts, in reference to the difficulties existing in the School, are very satisfactory and conclusive. There are no Physicians about here, who have not a full knowledge of the whole affair.

Yours, in haste,  
D. W. SHINDLE, (Class 1850.)

CHARED FALLS, New Brunswick, March 26, 1855.

MY DEAR DOCTOR,—It affords me much pleasure to acknowledge the receipt of your very kind letter, as well as the "Pamphlet" giving a statement of the circumstances connected with the recent difficulties that seem to have broken down the former pleasant and friendly associations existing in our "Alma Mater."

I have also to thank you for the very prompt, interesting and friendly reply which my letter received from you. Your two letters and the "Pamphlet" are the only evidences I have received during the past two years of the existence of the Pennsylvania Medical College. I had anxiously expected an "Annual Announcement," but was disappointed.

The "Pamphlet" I have carefully perused, and although I have never received any statements from Drs. Darraeh or Wiltbank expressive of their views and proceedings in regard to these unfortunate difficulties,

still, from the facts elicited, I cannot but think they have acted most strangely—and, in saying this, it is indeed with regret, having always held a very high regard and friendship for both those gentlemen. But perfection is rare in the best of men; we all have our good and bad qualities. I should suppose Dr. D. was the “first player” in this game, and I can readily imagine how vigorously he would push matters into a crisis in favor of his own party: the old gent. when roused would be a hard one to contend against. I am willing to take the decision of the Court, as the surest evidence that the present Faculty have acted rightly and honorably through the whole campaign, and that Drs. D. and W. have been very, very wrong in their proceedings. These troubles certainly must hurt the interests and check the advancement of the school, but I trust that now, all things being settled, Pennsylvania Medical College will flourish with renewed and greater rapidity. The Faculty is now composed of entire strangers to me, but well known, I presume, in Philadelphia, men of superior abilities and zealous in the welfare and advancement of the profession. You, dear Dr., are the only one remaining through whom I could claim an interest and feeling in the school. Three years have made a great change (here I can call to my imagination, quite familiarly, the friendly countenance of our much lamented Dr. Grant and Dr. Patterson), but so long as you remain in the Faculty I should feel perfectly at-home, and privileged to enjoy my former rights, in the halls of my “Alma Mater.” Circumstances may allow of my again visiting Philadelphia; if so, I hope to meet you in health and prosperity. I hope you will occasionally write, if any thing particular should occur. Amid a thousand kind wishes,

I remain, affectionately,

GEO. CURRIER, (Class 1851.)

WHITE SULPHUR SPRINGS, VA., Sept. 5th, 1855.

PROF. GILBERT,

DEAR SIR:—I have this moment yours of August 22d, and was truly glad to hear from you. I regret deeply that I did not receive yours containing a statement of the controversy which I infer (not having heard one word about it) involved the Faculty. Of course then, so far as the controversy is concerned, I can have no opinion. In relation to the present *form* of the Faculty, I can truly say that I am *highly pleased*. Not having been in your city but once for five years, and that but a short visit, I know nothing personally of many members of your Faculty, but then I said *The South* knows them medically with approval.

Last summer, Dr. Landon Rives, of Cincinnati, Ohio, brother of W. C. Rives, of Virginia, visited his son, who is a co-laborer with him in the *practice* of Roanoke, and before a number of physicians I heard him pay a *very* high compliment to the newly-organized Faculty of Pennsylvania College, of which he was my first informant. I am confident that with harmony of Faculty the Medical Department of Pennsylvania College will in a *few* years matriculate as many students as any school in Philadelphia.

Excuse this long letter, which has grown out of my interest in your school. I will be in Philadelphia in a short time, and hope to have the pleasure of calling on you.

I am, very respectfully yours,  
LOUIS M. COATES, (Class 1850.)

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ARCADIA (Ga.), August 30th, 1855.

DR. D. GILBERT,

DEAR SIR:—Your favor is at hand, and I am truly sorry to hear of the difficulty between yourself and colleagues. I have always thought prudent to remain neutral on all controverted points; but as others have expressed their opinions pretty freely, I would remark that I feel confident that the College *will be more prosperous under the direction of the present Faculty than heretofore*. I hope as you have been successful so far in obviating every difficulty, that you may be permitted to go on unmolested in the even tenor of your way.

Yours truly,  
CURTIS MCNEAL, (Class 1852.)

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READING, September 3d, 1855.

DEAR DOCTOR:—I received yours of the 28th ult., asking me to give you an expression of my views of the precept arrangement of my Alma Mater, which I will freely do. As far as I am acquainted with the present Faculty, I am entirely satisfied. I have no acquaintance with Drs. Neill and Stillé, though I know Dr. Neill as a Lecturer. I frequently heard him lecture in the University, and must say that I felt very much pleased with him as a teacher. Dr. Stillé I know not; never saw him to my knowledge, but from what I heard from outside talk, gives entire satisfaction; and as far as my knowledge of the present Faculty of the Pennsylvania College extends, it ranks second to none in Philadelphia. I wholly approve of the arrangement, for I consider that it is for the better. When I first heard of the hubbub I was with Dr. Darraeh, but when I heard the particulars my views were changed. Dr. Darraeh wrote to me last winter, asking me to give a dollar for the purpose of getting up a portrait of Dr. Patterson, but the matter slipped my memory entirely or I might have sent him a dollar, not knowing what was to be done with the portrait.

I will do all that lays in my power for the Institution. My best wishes are with you and the rest of the Faculty.

Yours truly,  
FRANKLIN RIESER, (Class 1852.)

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ANDESVILLE, PERRY Co., Pa., April 23d, 1855.

PROF. D. GILBERT,

VERY DEAR SIR:—I at length commence a letter to you in answer to the very kind one received, bearing date March 17th.

I am under obligations to you for the pamphlet sent a few days prior to your letter; and, as you will doubtless expect, I have read it over

attentively. Before its arrival I was at a loss to know what had caused the changes made in the Faculty, and the truth in regard to which I was particularly anxious to know. I heard it intimated that it was believed by some that it was through your influence the result was brought about in order that in the Faculty you "might be placed *primus primarius*." Such insinuations I never for a moment believed, and from the statement in the pamphlet, it is evident to every one that there is not the least shadow of a foundation for such allegations.

I am very sorry, indeed, that Drs. Darraeh and Wiltbank should so far forget themselves as to descend to such unfair means to injure the Institution. I did not think it possible that there was so much bitterness in Dr. Darraeh's composition as his letters evince. I am very sorry whenever I think of the subject that he has acted so dishonorably. I do hope, for their own honor, and for the honor of the College, the present members of the Faculty will not attempt to *retaliate* or take any measures against Drs. D. and W. to gratify feelings merely, but at the same time act fully upon the defensive, and, if possible, sustain the honor of my Alma Mater.

Sincerely and truly yours,  
ISAAC LEFEVRE, (Class 1854.)

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WRIGHTSVILLE, August 31st, 1855.

DEAR DOCTOR:—Yours of the 22d came to hand yesterday. In reply I would say that I am entirely satisfied with the course you have taken, and hope Pennsylvania College, with its present organization, may be destined to succeed beyond your brightest anticipations.

The letter you speak of never came to hand, neither did the Statement, although I have seen and read the latter with most lively satisfaction. With great respect and esteem, I remain

Yours truly,  
J. A. WOLF, (Class 1848.)

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LOCKHAVEN, June 11th, 1855.

PROF. GILBERT,

DEAR SIR:—I received your letter and pamphlet, and I would offer as an apology for not sending an acknowledgment and reply, that I intended to have visited Philadelphia and conferred with you on the matters set forth in the pamphlet, but as my business has prevented me thus far, and may prevent me for some time to come, I send you a brief letter.

The first intimation I had that there was any difficulty in the College, was from some remarks made by Dr. A. Babb in my office, last winter. I sincerely regret that any difficulties should have arisen in my Alma Mater. The Faculty always occupied a large place in my affections, I would not have believed that any of the Professors would have been guilty of duplicity or anything that would in any way compromise their dignity and that of the Institution. It appears by your letter and the pamphlet, that Prof. Darraeh, a man I always esteemed so highly, has been guilty of those very acts. But it also appears that the plot he



and Prof. Wiltbank had formed for the "ousting" of their colleagues, reverted upon their own heads. I do not give this as my opinion, but merely draw my inferences from the supposition that all that is set forth in the pamphlet is correct. I would not hint for a moment the possibility of any *intentional* misrepresentation; but may there not be some mistake in the matter? Have you not *all* been rather hasty? As you have asked the opinion of a young man, you will not accuse me of presumption or disrespect. You will confer a great favor on me by informing me at times of the manner in which my Alma Mater prospers. Please send the Announcements, Introductorys, &c.

Yours respectfully,  
WM. W. ESTABROOKS, (Class 1847.)

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WASHINGTON CITY, May 13th, 1855.

PROF. GILBERT,

MY DEAR SIR:—I have the honor to acknowledge the receipt of your letter of the 1st inst., and the accompanying "Statement of the facts connected with the re-organization of the Faculty" of my Alma Mater. While I deeply regret that the conduct of Drs. Darrach and Wiltbank was such as to *compel* the trustees of the Parent Institution to expel them from the Chairs that they held, I cannot but confess that, so far as the change is concerned, it will be a great advantage to the Institution, their successors being active, energetic men, distinguished not only as eminently successful practitioners, but also able teachers. With the present Faculty I am greatly pleased. They will give Pennsylvania College the position she is entitled to occupy among the first schools of the world; and I beg you to say to them that for one I bid them God speed.

A letter from Dr. Darrach to an Alumnus, published in the pamphlet, states that the Alumni are co-operating to have a full-length portrait painted of the late beloved and much lamented Patterson. I wish to contribute to it, and hope when finished it will be placed in the Museum of the College. With sentiments of the highest regard, I am,

Truly yours,  
CHARLES LEIB, (Class 1849.)

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WAVERLY, PA., March 28th, 1855.

PROF. GILBERT,

MY DEAR DOCTOR:—I received your letter and also a "Statement" of the facts connected with the re-organization of the Faculty of the Medical Department of Pennsylvania College. After a careful perusal of its contents I must say that I can find nothing that will reflect discredit to yourself or present associates. I am very sorry that Drs. Darrach and Wiltbank have taken the course pursued by them. The underhanded plan resorted to for the purpose of ousting others, &c., *must* or *should* be frowned upon by every M. D. acquainted with the circumstances. I should not have expected any thing of the kind from Dr. Darrach, but

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You have my best wishes for your future success, and will be glad at any time to aid you in building up the interest of the School. I am always glad to hear from you, so please write.

Truly yours,

H. S. COOPER. [Class 1852.]

FREDERICTON, N. B., April 23d, 1855.

DEAR DOCTOR,—Your kind letters of the 16th and 27th inst., came duly to hand, and I have to apologize for not answering before, but as your request was to peruse the Statement concerning the College carefully, for that reason, I have delayed writing hitherto, and, even now, have scarcely read it with sufficient care to express an opinion; and, indeed, *perhaps*, it would be a difficult matter for me to give an unbiased opinion. My views and feelings being, as you well know, in favor of the present Faculty. Still, from the hasty perusal I have made, I cannot but think the course of conduct pursued by Drs. Darrach and Wiltbank very unfair, and must say I am very much pleased at the present state of things in Pennsylvania College. With the present Professors, the College must necessarily advance, and any influence I may possess in sending any persons thither shall be exerted to the utmost.

Hoping you will pardon my negligence, believe me, my dear doctor,

Yours, very respectfully,

C. H. BARKER. [Class 1854.]

IRWINTON, GA., May 3d, 1855.

DEAR DOCTOR,—Yours of March 16th is here; and in obedience to your wish, I respond to it. In doing so, I regret to find myself impelled by an imperative necessity, founded upon the illiberal, not to say, dogmatical, course which Drs. Darrach and Wiltbank have pursued towards the present Faculty of Pennsylvania College, and to regard their proceedings as one *unbroken series of obliquities*. I view them as having assumed to themselves an unwarrantable authority in their attempt to expel from the school five professors, whose claims were equal to their own. Disregarding the authority of the institution upon which the medical school was engrafted, exhibits a degree of presumption and contumacy hitherto unknown in the chartered Colleges of the United States.

In their efforts to injure the present Faculty of the Medical College of Pennsylvania, by making insane appeals to the Alumni of the school, they infringe upon the injunction placed upon them by the Court of Equity to which they applied for redress, and from which they doubtless received all that was due them.

It is with feelings of deep and serious regret, that I find it necessary to speak thus disapprovingly of a course pursued by persons whose names were inscribed upon my diploma; but I feel that it would be a dereliction of duty in me were I not to express to you my entire disapprobation of their conduct in regard to my Alma Mater.

Faithfully, yours,

S. E. MCKINLEY. [Class 1848.]

SHIPPENSBURG, June 11th, 1855.

To Dr. GILBERT.

DEAR DOCTOR,—It has been some time past since I saw you face to face. It would be a heartfelt pleasure to me to see all of the *present Faculty*, but my business is such at this time that I am not able to visit you at present. Dr. Darrach wrote to me at Princeton, Scott co., Iowa, last January, and requested me to send him a gold dollar for the purpose of getting Dr. Patterson's portrait in full, for the benefit of the Pennsylvania Medical College. If I mind right, Dr. Darrach requested me to send a letter to Dr. Bond, of Philadelphia. I am sorry to say that at that time I did not know if I was right in complying with his request.

I remain, your humble servant,  
JOSEPH T. HOOVER,  
[Graduate of 1853.]

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GRATZTOWN, April 12th, 1855.

Prof. D. GILBERT.

DEAR SIR,—I did not receive your letter until a few days ago, in consequence of having moved my quarters from my former situation. Sir, I felt exceedingly sorry, when I learned that such difficulties existed between the members of the Faculty of Pennsylvania College.

I was not aware that they existed until last summer, when a letter was addressed to me by Dr. Darrach, stating therein the circumstance. I could not learn from the Dr.'s letter what created the disturbance. He desired of me to give the Post Office address of some of my fellow Alumni, also, he desired my name to be annexed to the "Quo Warranto" list, but I did not give him authority to have my name added on the list, from the fact that I did not know in what position matters stood.

I perused the pamphlet which you favored me with, and find that the case is stated differently therein from what I had been informed.

With my best wishes for the prosperity of Pennsylvania Medical College.

I am, truly, yours,  
ISAIAH SCHMINKY. [Class 1852.]

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EPHRATA, April 12th, 1855.

DEAR DOCTOR,—Yours of the 16th of March was received with great satisfaction, as I did not receive any communications either by documents or letters from any of you Professors since I left Philadelphia, therefore I did not know of the difficulty between you. I am sorry that Dr. Darrach used such illegal means. *I am glad that he is out of that Chair*, and hope you will prosper.

Please send me documents. Excuse my delay.

Very truly, yours,  
G. WENGER. [Class 1850.]

CATASAUQUE, Lehigh Co., April 11th, 1855.

MY DEAR DOCTOR,—I am in receipt of your favor of the 17th ult., and also of the "Statement," &c.

It is a matter of regret to me that the institution of which I have the honor to be a graduate should have the least dissension among its Faculty. I watched with interest the case last summer in its judicial progress, but as my knowledge of the law is limited only to a smatter of medical jurisprudence, I did not come to a decision. I have carefully perused the "Statement," and according to the evidence in the case I could not but come to the same conclusion as *Judge Thompson*.

His opinion is clear and lucid, and simplifies the case so that the most common intellect can, if he wishes, understand it. Your letter tends only to confirm my opinion.

I hope that the storm is over now, and that the *Pennsylvania* will be the brightest star in the constellation of the medical schools.

You will accept my warmest wishes.

Yours, truly,  
W. W. WALTERS. [Class 1853.]

Dr. D. GILBERT.

MILL HALL, April 2d, 1855.

DEAR SIR:—I received a letter from you a few days ago, sounding my feelings on the affairs of the College. My opinion is soon given; my sympathies, ever since I have understood the real state of affairs, have been with the present Faculty. I have had some two or three letters, once, also, an interview with Dr. Darrach, but I think his course savors much of *revenge* and *disappointment*. I think the change in the Faculty favorable to the future prosperity of the school. I heard most of them lecture when I was in the city, and liked them very much.

I am willing to do anything in my power for the prosperity of the present Faculty.

Yours, truly,  
JOSEPH McMICKEN. [Class 1851.]

TUCKERTON, N. J., April 9th, 1855.

PROF. D. GILBERT :

VERY DEAR AND RESPECTED DOCTOR:—Yours of the 17th ultimo was received in due time, and should have been answered before this time, but I have culpably postponed from day to day, until the delay has become alarming, lest I incur your displeasure.

I have received a pamphlet which sets forth the statements of the various transactions of the late difficulties at Pennsylvania College, which is entitled a "Cross Bill of Complainant's," in the Court of Common Pleas of Philadelphia. This is the only paper I at this time recollect of receiving.

I have studiously avoided taking any part whatever in this, what I consider, unfortunate affair. None of Dr. Darrach's letters ever reached me. I was in Philadelphia shortly after the difficulties became public,

and visited the College with the expectation of seeing all the Professors then connected with the Institution. I think, if I remember, that I saw yourself and Drs. Smith, Reese, and Allen, and with very much pleasure. If I remember aright, I said to you that I desired to stand aloof from all interference in the affair; and when I saw Dr. Darrach and Wiltbank, I decidedly said the same to them. Whether Dr. Darrach has considered, that "he who is not for us, is against us," or not, it is very true that I have received no communication from him or Dr. Wiltbank relative to the affair.

All the gentlemen whom I have the honor to respect as Preceptors and Teachers, have always, without exception, treated me with extreme kindness and courtesy, and I have always desired that my demeanor towards them should be gratefully respectful and honorable in return.

I am exceedingly obliged to you for this renewed evidence of your kindness and remembrance, in giving me such important information on some points of which I was before ignorant.

I feel nervously anxious for the prosperity and success of my Alma Mater, and am gratified to learn from you that the future prospects are so flattering. I wish yourself and all the gentlemen connected in the Faculty with you, abundant health, success, and continually increasing popularity, and that the school through your efforts and labors may become second to none in the land in point of influence and popularity, as I verily believe it already is in real merit. With profound respect and esteem I have the honor to be

Yours very sincerely,

T. T. PRICE, [Class 1853.]

DAHLONEGA IOWA, April 4th, 1855.

PROF. GILBERT :

DEAR SIR :— Your favor of March 19th is before me, informing me of the difficulties, of which I had before, but heard indirectly. I have, as you will see by this date, removed from Pekin; and, consequently, have not received the pamphlet to which you allude. I received, last fall, a circular, from which I ascertained that there had been a re-organization of the Faculty, and supposed that it had been brought about upon amicable grounds. As *gentlemen*, and as *friends* and *scholars*, were Drs. Darraeh and Wiltbank held by myself and fellow-students of the course of 1853 and 1854; *but all agreed in the opinion*, that their future connection with the school, would be prejudicial to her advancement and best interests. It was with *this* view of the matter, that I was induced to head the petition for their voluntary resignation; hoping that such a course would subvert the evils which we but too plainly saw, would sooner or later overtake the school under her then organization. I am truly sorry to learn of the seriousness with which this matter is attended; and hope that it will very soon be settled. But my candid opinion is, with all deference to the *ability*, *candor*, and *honor* of Drs. D. and W., that the school *will not* take the rank to which she is entitled, with their occupying any of the chairs.

I have a splendid practice here, and have had several *surgical cases*; and, am happy to assure you, that the principles of surgery taught in



the "Medical Department of Pennsylvania College," were amply sufficient to enable me to succeed with credit to the profession, and honor to myself.

I send my compliments to the balance of the Faculty. With the best wishes for your future welfare, and the ultimate success of the Institution with which you are connected,

I remain very truly yours,  
J. C. HINSEY, [Class 1854.]

SUNBURY, February 19th, 1855.

DEAR PROF. :—I send you the original letter of Dr. Darrach \* I do so, "Not that I loved *Cæsar* less, but that I loved Rome more." I have the kindest feelings for Drs. Darrach and Wiltbank, and would go as far as any other person to reinstate them, if I believed they were wronged; but from all the information I can gather in reference to this *unfortunate* difficulty, I am forced to the conclusion, that *they*, (Drs. D. and W.) are in the wrong. Believing this to be the case, and for the great interest I feel in my *Alma Mater*, I cannot refuse to lend my aid in support of *right*, against *wrong*; I therefore send you the letter, to use as you think best. Your very truly and ob'dt. servant,

D. W. SHINDEL, [Class 1850.]

YORK, April 3d, 1855.

DR. GILBERT :

DEAR SIR.—I received your letter some time since, and as to my opinion in regard to the difficulties existing in the welfare and future success of my honored "*Alma Mater*," I can do no better than assure you, that whatever course you and your colleagues may pursue, will meet my hearty approbation.

Yours with respect,  
SAML. ROUSE, [Class 1851.]

MAHONNY, September 6th, 1855.

DEAR DOCTOR :—I received your letter in due time, and was very much pleased indeed to hear from you, and also to hear that the old Pennsylvania is still in a prosperous condition with its new Professors. I had felt very sorry at first to hear that Professors Darrach and Wiltbank were ousted, for as teachers they were very kind to me, but as they have done wrong, and have no person to blame but themselves, I think it was perfectly right that they were removed. I hope that the College will improve by the change, for I stand firm for the old Pennsylvania, and I will do for it what lays in my power to do. I have been getting along very well since I saw you last. Now Doctor I have given you my views.

Very truly your friend,  
J. HAAS, [Class 1852.]

\* This letter has not been published.

ST. JOHN, N B., February, 1855.

MY DEAR DOCTOR:—I have no news to communicate at present, and the only object in addressing you now is, that you might be in possession of the enclosed rare specimen (of, "I don't know what,") before the termination of the present session, and, as it is a valuable and creditable production, I trust you will have it framed and give it a conspicuous place in the Museum, especially as it is the *production* of a being who had been *Divinely* appointed to teach Medicine in the Pennsylvania College. He has received silent contempt for his trouble in writing to me. I sincerely hope that you have a good large class this winter. I long to pay you a visit if I could only manage to do it, but it seems as if every day brings additional obstructions; however, I must live in hope. Please let me hear from you after the commencement, and give me all the news about the College and its prospects. As I feel ashamed of the names of Darrach and Wiltbank, could I not have another diploma with the names of the new Faculty on it?

Your obliged friend,

JAMES HUNTER, (Class 1849.)

GETTYSBURG, Sept. 4th, 1855.

PROF. D. GILBERT:

DEAR DOCTOR,—I received your letter last spring, also the "Statement" of the College affairs which you sent me at that time.

When I received the Pamphlet I had only time to glance at its contents, intending the next evening to read it carefully, and answer your letter as the facts might warrant; but the Pamphlet was mislaid, and when I received your letter I had intended to write you for another copy, but on renewing the search I found the lost one where my boy had mislaid it. I assure you I am glad you have published a statement of the difficulties in your membership, which seems to me to be quite satisfactory, for I must say that as the case was first represented to me, my sympathies were with Profs. Darrach and Wiltbank, and would have been glad if the school could have been carried on without the unkind feeling that seems to have been necessary to get rid of them.

I am very sorry for Dr. Darrach, for when I was there I liked him as a man and a lecturer; but several young men who listened to him the last winter or two he lectured, told me (before I heard anything of the difficulty) that he had become so wild and so carried off with "Phlegmasiæ and the Lancet" that they did not pretend to learn the practice from his lectures. However much we may regret the past bad feeling, I cannot see how any one with the facts before him, if he has the good of the College at heart, would not rather see the Faculty composed of men who could succeed than remain as it was, to fail. Hoping that my "Alma Mater" may always be second to none in the land, please accept for yourself and colleagues my kind regards personally and best wishes for your success and the school under your are. Please send me a copy of any addresses that may be distributed.

Truly yours,

JOHN L. HILL, (Class 1846.)

MIDDLETOWN, (OHIO,) Sept. 3d, 1855.

DR. GILBERT:—

Yours of the 22d August was received this morning. I should have answered your first letter, but it was my intention to visit your city some time this month, and then I would have been enabled to have conversed with you upon the subject. I was not *posted up* upon matters and things when Dr. Darrach's letter was received. My answer to him was, "that I was very sorry that any misunderstanding was then existing among the Faculty, and that I was very willing to give my assistance and money to procure the likeness of my honored and lamented friend and teacher, Dr. Patterson. My money was given for this purpose and for *no other*, and such was mentioned in my answer to Dr. Darrach. It was a tribute due Dr. Patterson, and it had my hearty co-operation. I never would consent to give my name or assistance to any proceeding in law without knowing more about the case than I did about the one in question. Such were my views to Dr. D. in a copy of my letter to him. I carry with me very warm feelings for your Institution, and shall always use honorable means for its advancement, and my influence for its future prosperity. Nothing preventing, I shall see you early in the Spring.

Yours truly,

CHAS. S. BARNITZ. (Class 1853.)

SPRINGFIELD, [NEW BRUNSWICK, B. A.,] May 19th, 1855.

DEAR DOCTOR:—Your letter and pamphlet I received. I was astonished to hear of the difficulties you have had in the *College* lately, but I hope it will be all for its good.

I am much pleased to hear of the *School* being in so prosperous a state at present, and hope it may continue so.

With best wishes for yourself and your colleagues, I ever remain,

Yours, &amp;c.,

J. H. WILSON. (Class 1853.)

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NOTE.—It is worthy of observation, that many of the writers of the above letters are among those who were induced to express their sympathy with Drs. Darrach and Wiltbank, upon the misrepresentations which they received from Dr. Darrach. The letters of Drs. Adams, Layton and Miles here given, contrast strikingly with the testimonials to which these gentlemen's names are appended in the *Pamphlet*.

## OPINION OF THE COURT

DELIVERED BY

HON. OSWALD THOMPSON.

COMMON PLEAS.—The following opinion was given by Judge Thompson, in the case of the Medical College of Pennsylvania :

WM. DARRACH, M. D., and JOHN WILTBANK, M. D., and "*The Trustees of the Medical Department of Pennsylvania College,*" complainants, vs. JOHN B. BIDDLE, M. D., JOHN J. REESE, M. D., DAVID GILBERT, M. D., FRANCIS G. SMITH, M. D., and JONATHAN M. ALLEN, M. D., and the Trustees of Pennsylvania College of Gettysburg, in the county of Adams, respondents. *In equity.*

JOHN J. REESE, DAVID GILBERT, JOHN B. BIDDLE, FRANCIS G. SMITH, and JONATHAN M. ALLEN, and "*The Trustees of Pennsylvania College, of Gettysburg,*" &c., complainants, vs. WM. DARRACH, JOHN WILTBANK, "*The Trustees of the Medical Department of Pennsylvania College,*" and MORRIS PATTERSON, and others, defendants.—*In equity. Cross-bill, Sur motions for special injunctions.*

The complainants in the original bill, Drs. Darrach and Wiltbank, claim to be the Medical Faculty of Pennsylvania College, and to derive their powers as such Faculty entirely from the Act of Assembly of March 6th, 1840. They deny that they derive any part thereof from the "*Trustees of the Pennsylvania College of Gettysburg,*" and set up the said act of March 6, 1840, as the only charter of the said Medical Department. They claim to be the only possessors of the powers conferred by the said act, and ask for an injunction to restrain the defendants from interfering or molesting them in the management of the Medical College, or in the enjoyment or exercise of the powers conferred by the said act.

Unless they are sustained in each of these positions:—1st, That the act referred to is the only charter of the Medical Department, and confers upon them exclusive powers; 2d, that the Trustees of Pennsylvania College of Gettysburg have no power or authority on the subject—they cannot obtain the aid of a Court of Equity to prevent others, who claim equal rights with them, from asserting such rights either at law or in equity, whenever it may become expedient or necessary so to do.

To the position thus assumed by the complainants there appear to be insuperable objections. In the first place, the Act of March, 1840, has none of the requisites of a charter; it creates no institution or corporate body, but merely authorizes a Faculty established by the Pennsylvania College at Gettysburg to confer medical degrees. *Secondly*, The complainants were not members of the original Faculty upon whom the Act conferred the power to grant medical degrees. They claim to derive their authority from a transfer made to them by the members of that Faculty—but it is to be observed that no power is given by the Act to make such transfer. If the Act were a charter, the corporators would have no authority to surrender and relinquish their rights to others; no such power can be implied. The right of continuing the existence of a corporate body by the election of successors, which in some cases is necessarily implied, is not that which is here claimed. The complainants aver an entire transfer of all corporate powers;—but without an express authority it cannot be presumed that it was the intention of the Legislature to vest such power in any corporate body. The instrument, however, under which the complainants allege that their powers were transferred to them, does not imply that the gentlemen who signed it either claimed to possess or to transfer any chartered privileges whatever. They merely, as late members of the Faculty of Pennsylvania Medical College, *relinquish* the right to and use of the charter of said institution in favor of a new Faculty, thereby giving up their rights but not conferring any. Under this relinquishment, it is difficult to understand what exclusive powers could have passed to the new Faculty, which the complainants now claim to exercise.

The second position assumed by the complainants, that the Trustees of Pennsylvania College at Gettysburg have no right or power in the case, is fully met, as far as the present application is concerned, by the fact that up to a very recent period the complainants professed to act under the authority of the said Trustees. The original professors had individually assigned their chairs to the said Trustees or to their representatives, and after having thus divested themselves of their powers, had received other authority from the Trustees, in accordance with which they made the alleged transfer to the complainants.

The complainants subsequently applied for and received the sanction of the Trustees to their appointment as the Faculty of the Medical Department, and advertised themselves to the world as deriving their powers from the appointment of the late Faculty, under a resolution of the Board of Trustees confiding to them that power. In frequent communications, as well as by payments made according to the understanding had with the Board of Trustees, they have further acknowledged themselves as acting under their authority. If, after so many recognitions of their connection with the Pennsylvania College of Gettysburg, they have the power to repudiate their former acts, and to deny what they so often asserted, it cannot be upon any principle of equity, which requires the aid of a Court of Equity and conscience to sustain them in such a position.



But, assuming that the complainants had the entire powers of the Medical Department vested in them by the transfer of the original Faculty, on what principle can they invalidate the election made by themselves of their associates, whom they have made defendants in the original bill? It matters not from what source they derived their authority. If they possessed it, as they allege they did, they must be considered as exercising it, when they elected their fellow members. They conferred upon them full powers and made them equally with themselves members of the Medical Faculty. They themselves then become the minority of the Faculty, and could have no power to act against the will of the majority. That majority still claim to maintain the rights so conferred upon them, and I do not perceive with what equity their claim can be opposed by the complainants. The existence of differences of opinion in regard to the conduct of the Institution, or upon any other subjects connected with their duties, would not authorize a minority to remove the majority from their professorships, or justify a Court of Equity in interfering to prevent such majority from the assertion of their rights.

For these reasons and others which might be added, it is clear that this Court should not enjoin the professors who are made defendants, nor the Trustees of the Pennsylvania College of Gettysburg, from exercising the rights they respectively appear to possess to the professorships, or to the management of the said Medical College. It may be said that the said complainants have devoted their time and talents to the advancement of the Institution, and that the College edifice has been erected chiefly by their contributions and by the assistance of their friends, but it must be recollected that, by their own act, they imparted to others equal rights in the premises with themselves. Nothing was reserved. Their chosen associates claim to have received an equal right to participate in the privileges, as well as the responsibilities of members of the Faculty. They have neither waived, nor from aught that appears, forfeited their rights thus obtained, and we cannot with propriety interfere with them.

The defendants in the original bill, for the purpose of bringing more fully before the Court the facts necessary for the determination of the controversy, have filed their cross-bill against the complainants in the original bill, upon which they apply for a special injunction to restrain the said complainants from instituting legal proceedings to deprive them of the possession of the College Building or from interfering therewith, and from making any publication prejudicial to the interests of the Medical Department of Pennsylvania College, and to restrain the said Trustees from letting the said College Building to said Wm. Darrach and John Wiltbank, or to any person or persons.

A careful examination of the facts presented in affidavits and documents produced to sustain the views of the respective parties, renders it clear to me that the design of the Legislature in passing the act of 1840 was to confirm the establishment of the Medical Department of the Pennsylvania College at Gettysburg, as it existed in Philadelphia. The first Medical Faculty at all times recognized the College at Gettysburg as

their Parent Institution, and they appointed the new Faculty and transferred the use of the charter to them expressly, in accordance with the authority given them by the Trustees. The new Faculty in like manner acted as a branch of said College, and expressly recognized the authority of the Trustees. Without this authority it would be difficult to sustain any of their proceedings. That the Trustees of the Pennsylvania College have the right to sustain their claims to the control and management of the Medical Department,—and the professors to the enjoyment of their professorships, cannot, I think, admit of a question. Whether the said Trustees had the power to establish the Medical Department, under the charter of the Pennsylvania College, is a question which it is not proper to examine at the instance of those whose claims to chairs in that Department can only be sustained by upholding the action of the Trustees.

The position assumed by the Trustees of the Medical Department of Pennsylvania College is also to be considered. That body was created by the act of 29th March, 1849. The said act was passed as a supplement to the act of 6th March, 1840, and created a body politic and corporate, with capacity to take and hold real estate for the purpose of erecting a building thereon for the use of the Medical Department of Pennsylvania College. The Medical Department indicated by said act could be none other than that established by the Pennsylvania College of Gettysburg, and named in the act to which it is a supplement. The said Trustees were to erect buildings for the accommodation of said Medical Department, and they can do no act contrary to the interests of those whom the Trustees of Pennsylvania College have authorized to conduct their Medical Department. They can have no authority to transfer the use of the building erected by them to others, nor to obstruct the professors so appointed in the enjoyment of it, so long as the terms agreed upon for its occupation and use are performed.

From all that appears in the exhibits and affidavits filed with the respective bills, I am of opinion that the complainants in the cross-bill are entitled to the use of the building. It is distinctly denied by them that any such lease as is mentioned in the original bill was ever accepted or acted on by them, and they insist that the Faculty occupy not as tenants, but as *cestui que trusts*. But even had such lease been formally executed by all parties, the right of the Trustees of the Medical Department to oust the majority of their tenants for the benefit of the minority would be by no means clear. The instrument itself shows that the building was demised to the then Faculty and *their successors, who may at any time compose the Faculty of the Medical Department of Pennsylvania College*, and not, as the Trustees now allege, for the use of Drs. Darrach and Wiltbank, Atlee and Gilbert only, as the survivors of those for whom the said building was erected. That the professors now in possession of the building were the regularly elected successors of those who left the Faculty after the alleged lease was agreed on, is not denied by Drs. Darrach and Wiltbank or by the Trustees, as they expressly state in their bill, that by the invitation and election of Drs. Darrach, Patterson and Wiltbank, those gentlemen became *members* of the Faculty.

The attempted, but, as has been shown, illegal amotion of them by a minority of said Faculty, cannot certainly deprive them of any rights acquired under the terms of the alleged lease. It does not, moreover, appear upon what grounds the Trustees can claim the right to determine a lease in 1854, which by its terms has to run until 1870. No violation of its provisions has been shown, and no power was reserved to the Trustees, as lessors, to interfere with the possession of the premises by whomsoever they might be occupied. The majority of the Faculty are in the legal possession of the College building as the Medical Department of Pennsylvania College, and a letting of said building to others, in accordance with the resolution of the Trustees, as stated in their bill, would be contrary to law and equity, and injurious to the rights both of the majority of the Faculty and the Trustees of the Pennsylvania College at Gettysburg, in subjection to whom the said majority claim to hold the premises.

It is not necessary upon the present motions, to determine more fully the nature of the power possessed by the Pennsylvania College of Gettysburg, under their charter as enlarged by the act of 1840. It is sufficient to show that the plaintiffs, in the original bill, have no right in equity to call in question the powers under which they have heretofore assumed to act, and by which their office has been created, while claiming still to exercise the functions of such office. And that the Trustees of the Medical Department cannot oppose their *cestui que trusts*, whose rights it is their duty to sustain.

The motion of the plaintiffs, in the original bill, for an injunction, must, therefore, be refused, and an injunction is ordered against the defendants in the cross-bill, to restrain them from attempting to deprive the plaintiffs therein named, of the possession of the said College Building, or from interfering with their possession thereof, and from making any publication denying the right of said plaintiffs to their Professorships, or prejudicial to the interests of the said Medical Department of Pennsylvania College, and from letting the said College Building to any other person or persons.

In accordance with the above decision, the Court issued the following Injunction :

#### THE COMMONWEALTH OF PENNSYLVANIA :

*To William Darrach, John Wiltbank, and the " Trustees of the Medical Department of Pennsylvania College," and to Morris Patterson, Joseph Patterson, William D. Kelley, Thomas Robins, Ambrose W. Thompson, John McAllister, Robert Bald, John Anspach, Martin Buchler, John W. Forney, and to their counsellors, attorneys, solicitors, and agents, and each and every of them,*

GREETING: *Whereas*, it has been represented unto our Court of Common Pleas for the County of Philadelphia, sitting in Equity, on the part of John J. Reese, David Gilbert, Francis G. Smith, John B.

Biddle, Jonathan M. Allen, and the "Trustees of the Pennsylvania College, of Gettysburg, in the County of Adams," complainants, that they have lately exhibited their bill of complaint in our said court against you, to be relieved touching the matters therein complained of; in which said bill it is amongst other matters set forth that you, the said defendants, are combining and confederating to injure the complainants touching the matters set forth in the said bill, and that the actings and doings of you the said defendants, touching the matters in the said bill mentioned, are contrary to equity and good conscience; We therefore, in consideration of the premises and of the particular matters in the said bill set forth, do strictly ENJOIN AND COMMAND you the said William Darrach, John Wiltbank, and the "Trustees of the Medical Department of Pennsylvania College," and you the said Morris Patterson, Joseph Patterson, William D. Kelley, Thomas Robins, Ambrose W. Thompson, John McAllister, Robert Bald, John Anspach, Martin Buchler, John W. Forney, and all and every the persons before mentioned, and each and every of you, under penalty of ten thousand dollars to be levied on your lands, goods, and chattels to our use; that you and every of you do absolutely desist and refrain from attempting to deprive the said John J. Reese, David Gilbert, Francis G. Smith, John B. Biddle, and Jonathan M. Allen, of the possession of the College Building, situate at the South-west corner of Ninth street and Shields' alley, in the city of Philadelphia, and from interfering in any manner whatsoever, with their possession thereof: and that you and each of you do also absolutely desist and refrain from making any publication denying the right of said John J. Reese, David Gilbert, Francis G. Smith, John B. Biddle, and Jonathan M. Allen, to their professorships in the Medical Department of Pennsylvania College; and from making any publication prejudicial to the interests of the said Medical Department of Pennsylvania College; and also, that you the said "Trustees of the Medical Department of Pennsylvania College" do absolutely desist and refrain from letting the College Building aforesaid in the said bill mentioned, to any other person or persons except the said John J. Reese, David Gilbert, Francis G. Smith, John B. Biddle, and Jonathan M. Allen, until the further order of our said Court of Common Pleas to the contrary, and this under the pain aforesaid.

Witness the Honorable OSWALD THOMPSON, President Judge of our said Court of Common Pleas, at Philadelphia, the twenty-eighth day of August, Anno Domini, one thousand eight hundred and fifty-four.

[L. s.]

JAMES G. GIBSON, *Prothonotary*.

[Attested Copy.]



[The following affidavit of Dr. William Rush, the only surviving member of the original Medical Faculty, given after the trial, clearly exhibits his view of the relations existing between the Medical Department and the Parent Institution :

“ Personally appeared before me, one of the Alderman of the City of Philadelphia, on the 20th day of July, A. D., 1854, William Rush, M. D., of the City of Philadelphia, who on his oath deposeth as follows :

“ That he was a member of the original Faculty of the Medical Department of the Pennsylvania College of Gettysburg, (located in this city,) from its first organization ; that he and his colleagues considered the Medical Department subordinate to the parent institution at Gettysburg ; that the act of Legislature of March 6, 1840, did not alter the relations which were established originally between the parent institution and its Medical Department, except that it gave the Medical Department the power to confer the degree of M. D., at Philadelphia, and thus obviate the necessity of re-conferring the degree at Gettysburg.


“ That the transfer to Drs. Darrach, Wiltbank, Patterson, Grant, and their colleagues, was made under authority expressly granted by the Board of Trustees of the parent institution at Gettysburg, at their stated meeting, held Sept. 20, 1843, and that the powers conferred were to be subject to the approval of the parent institution.

WM. RUSH.

THOS. KERR, *Alderman.*”]

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NOTE.—The late Janitor, Mr. Wynkoop, was paid his salary in full, to the *end of the Session*, by the Faculty, although legally entitled to it up to the time of his removal only.

 As the Faculty have not been able to obtain the Post Office Address of a large portion of the Alumni of the College, they would respectfully ask any into whose hands this refutation may fall, (through persons to whom it is sent), to forward their names and address, and they will receive all the publications of the College.





